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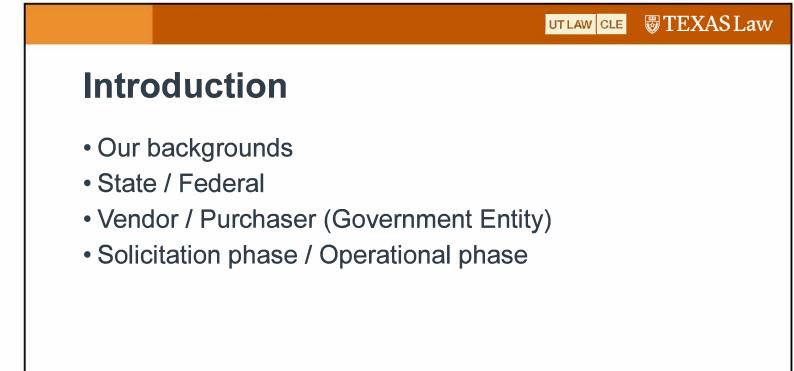
TEXAS Law The University of Texas at Austin School of Law

CONFIDENTIAL INFORMATION AND INTELL. PROPERTY

In Government Contracting: State and Federal

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Recent Policy Initiatives on Intellectual Property in <u>Federal</u> Government Contracts

Overview of key protections

- Trade Secrets Act
- NDAs
- FOIA/reverse FOIA

UT LAW CLE **TEXAS** Law **Recent Policy Initiatives on Intellectual Property in Federal Government Contracts** Overview of Confidentiality Issues • Trade Secrets Act, 18 U.S.C. § 1905; See CACI, Inc. v. United States, 674 F.Supp.3d 57 (E.D. Va. 2023) (entering injunction in favor of CACI to prevent further disclosure of CACI's trade secret information and ordering forensic computer analysis). • Use of Non-Disclosure Agreements; See Demodulation, Inc. v. United States, 103 Fed. Cl. 794, 798 (2012); Liberty Ammunition, Inc. v. United States, 835 F.3d 1388, 1401 (Fed. Cir. 2016). • FOIA, 5 U.S.C. § 552 • "Reverse" FOIA - See CNA Fin. Corp. v. Donovan, 830 F.2d 1132, 1133 n.1 (D.C. Cir. 1987). FAR/DFARS – See, e.g., FAR 52.215-1, Instructions to Offerors (marking proposals) 6

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Title search: Confidential Information and Intell. Property

Also available as part of the eCourse <u>Confidential Information and IP in Government Contracting: State and Federal</u>

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