

Do You Need to Have a Contract to Bring a Trade Secret Claim?



Devin Bates

dbates@mwlaw.com

(501) 688.8864

05/14/2024

Do you need to have a contract to bring a trade secret claim? No. Arkansas law protects trade secrets whether there is a contractual agreement to protect them or whether no such written agreement exists. Oftentimes, the parties agree (for example at the start of an employment or contracting relationship) that certain types of information constitutes trade secrets, and should be treated and protected as such. But even in absence of such a contractual agreement, one party may still sue another for alleged trade secret violations, relying on Arkansas statutory and common law trade secret protections.