

Speaking Engagements | October 11, 2022

# Advanced Trade Secrets 2022: New Risks, New Challenges, New Ideas

## RELATED PROFESSIONALS

Jennifer A. Kenedy

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**Jennifer Kenedy** will take part in PLI's Advanced Trade Secrets 2022: New Risks, New Challenges, New Ideas seminar on Wednesday, October 12, 2022. Jennifer's session will cover Ethical Issues in Trade Secrets Disputes at 4:00pm PDT. Topics include:

- In trade secret litigation lawyers may, at different times, represent different sides of an issue or competitors within the same industry. When are the interests of a current client "materially adverse" to those of a former client or prospective client such that it triggers a conflict under Model Rule 1.9(a) and 1.18 (c)?
- Is the lawyer's duty of competence under Model Rule 1.1 heightened with increased use of web conferencing platforms and inability for in-person review of trade secrets such as source codes?
- What extra measures do trade secrets lawyers need to take in our new world to meet their confidentiality obligations under Model Rule 1.6?
- What should lawyers do to meet their communication obligations to clients under Model Rule 1.4?
- What are some of the challenges of meeting supervisory obligations under Model Rules 5.1 and 5.3?
- Do new working arrangements and a multi-jurisdictional trade secret practice raise unauthorized practice of law issues under Model Rule 5.5?
- How can lawyers meet their obligations to develop meritorious claims under Model Rule 3.1 and duty of candor with tribunals under Model Rule 3.3 and truthfulness in statements to others under Model Rule 4.1 in the fast-paced world of trade secret disputes?
- What ethical duties arise in connection with simultaneous civil and criminal proceedings under Model Rule 8.4?

PLI's Advanced Trade Secrets 2022 is designed to help those responsible for assisting clients in protecting, exploiting, and sharing intellectual property; structuring business transactions, including mergers and acquisitions and related due diligence; and litigating and resolving business disputes. It will benefit inside and outside intellectual property lawyers, transactional lawyers, employment lawyers, white collar criminal and investigations lawyers, and others involved in protecting intellectual property and key strategic personnel.

For more information, click [here](#).