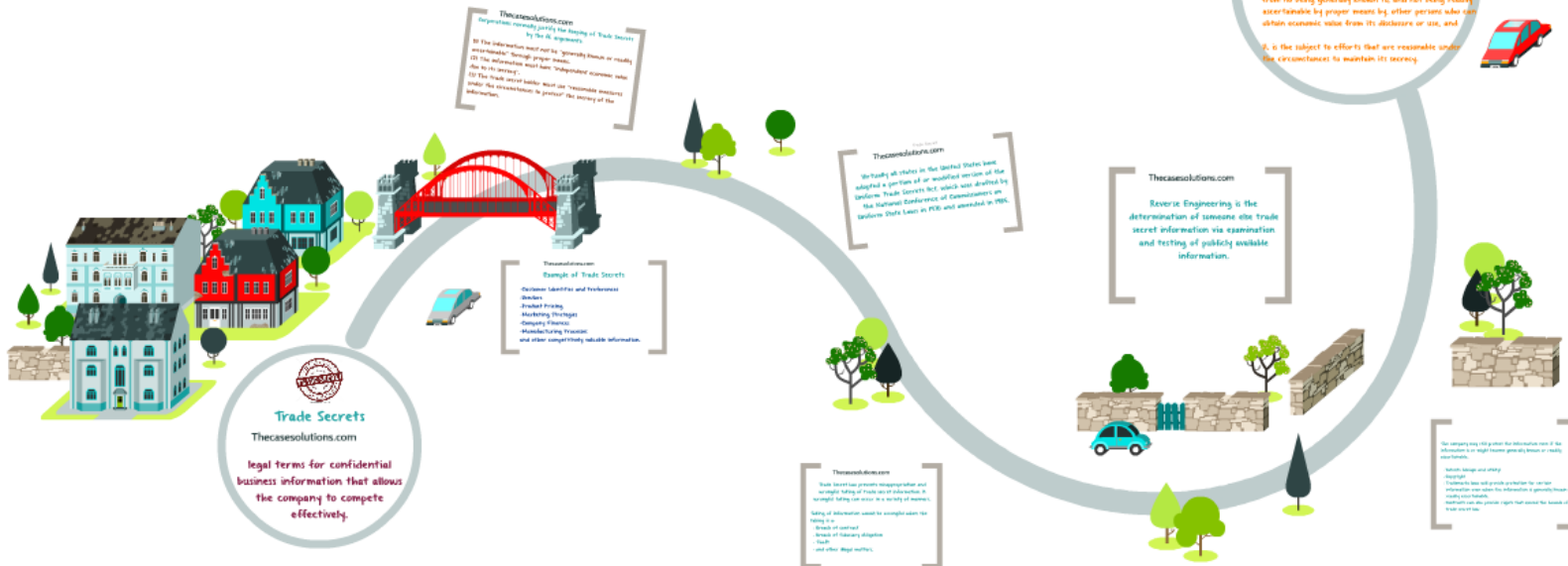
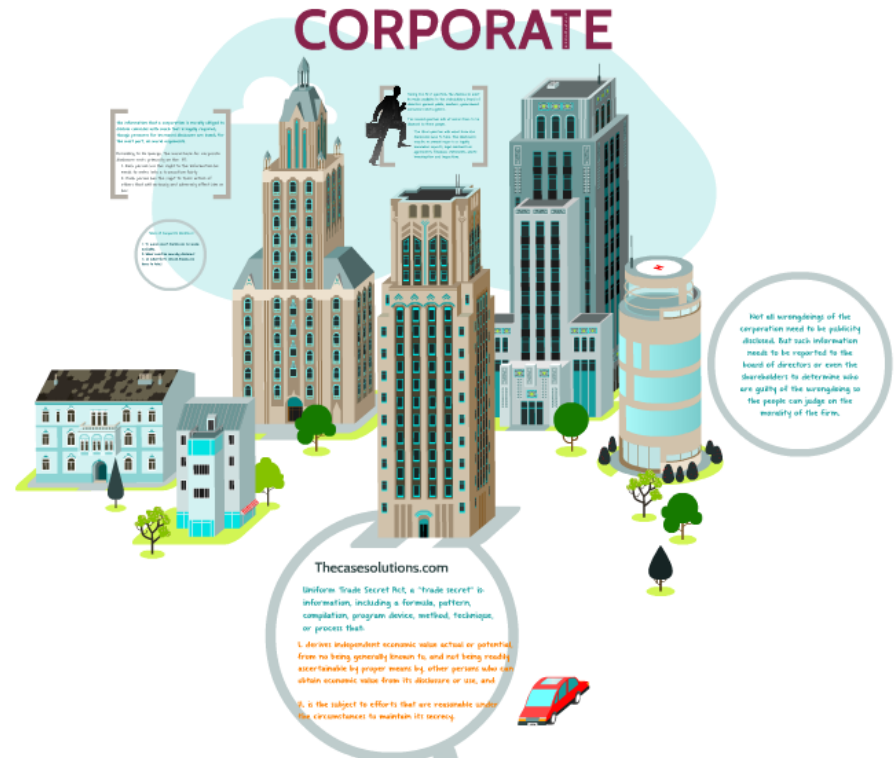


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Remicade/Simponi: Confidential Instructions for Johnson & Johnson

CORPORATE





Trade Secrets

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legal terms for confidential
business information that allows
the company to compete
effectively.



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Example of Trade Secrets

- Customer Identities and Preferences
 - Vendors
 - Product Pricing
 - Marketing Strategies
 - Company Finances
 - Manufacturing Processes
- and other competitively valuable information.

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Corporations normally justify the keeping of Trade Secrets by the ff. arguments:

- (1) The information must not be "generally known or readily ascertainable" through proper means.
- (2) The information must have "independent economic value due to its secrecy".
- (3) The trade secret holder must use "reasonable measures under the circumstances to protect" the secrecy of the information.

Trade Secret

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Virtually all states in the United States have adopted a portion of or modified version of the Uniform Trade Secrets Act, which was drafted by the National Conference of Commissioners on Uniform State Laws in 1970 and amended in 1985.



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Uniform Trade Secret Act, a "trade secret" is: information, including a formula, pattern, compilation, program device, method, technique, or process that:

- I. derives independent economic value actual or potential, from no being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use, and
- II. is the subject to efforts that are reasonable under the circumstances to maintain its secrecy.



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Reverse Engineering is the determination of someone else trade secret information via examination and testing of publicly available information.

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Trade Secret law prevents misappropriation and wrongful taking of trade secret information. A wrongful taking can occur in a variety of manners.

Taking of information would be wrongful when the taking is a:

- Breach of contract
- Breach of fiduciary obligation
- Theft
- and other illegal matters.