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Patent case: Brand Services, LLC v. Irex Corp., USA

Harold S. Berman · Friday, November 2nd, 2018

A company that claimed a competitor misappropriated its trade secrets involving invoicing and job productivity software could proceed on its Louisiana Uniform Trade Secrets Act (LUTSA) and some of its common law conversion claims, the U.S. Court of Appeals for the Fifth Circuit ruled, reversing in part the district court's dismissal of the claims. The appeals court found that the company presented sufficient evidence from which a jury could reasonably estimate unjust enrichment damages under LUTSA. The company's conversion claims were preempted by LUTSA to the extent they concerned trade secrets, but survived to the extent they did not concern trade secrets. The court also found that the district court improperly granted summary judgment without first fully examining the company's discovery motion, which concerned newly discovered documents (Brand Services, LLC v. Irex Corp., October 17, 2018, Haynes, C.).

Case date: 17 October 2018

Case number: No. 17-30660

Court: United States Court of Appeals, Fifth Circuit

A full summary of this case has been published on [Kluwer IP Law](#).

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