



Intellectual property disputes theft case study

Intellectual property disputes and alleged theft! An action was brought against an ex employee who left his previous employers property company to start his own property company. It was alleged that the ex employee had taken confidential information and had used the same to further his own company which appeared to be fiercely competing with his ex employer.

Equally it was alleged that he was still passing himself off as an employee, which gave him leverage in securing further clients, contracts and contacts.

The employer sued for a catalogue of issues, but mainly; copyright infringement, theft of intellectual property and passing off of trade goodwill and reputation. Legal fees were getting ridiculous and were nearly as much as the claim, the lawyers suggested mediation, and finally the parties agreed.

The ex employee refuted all the allegations made, the employer clearly evidenced parts of his claim which put the ex employee on very shaky ground, however there were segments of his case which he clearly could not prove.

The afternoon came and went, after a very long meeting in the early evening with his barrister the ex employee proposed the following; agreement to pay an amount against each head of claim which there was clear evidence by the employer, the amounts were based upon what his litigation risk ultimately would be under each head of claim, as well as to pay a contribution towards the employers legal costs, he also agreed to stop some of the activities he had engaged in which was sufficient to allow the employer to drop his whole claim and walk away with what had been negotiated and agreed.

Facts & figures

- **The mediation took 1 day compared to the 16 months this intellectual property dispute had already gone on.**
- **The mediation cost each party £950.00 each compared to the thousands they had already spent on legal fees and the thousands they would have had to spend had they continued with Court action.**