

*Trade Secrets Plus (or the Real Purpose Behind the AIA?)*

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My paper will explore efforts to ramp up trade secret protection both in the United States and internationally. After first detailing the increased rhetoric surrounding trade secret protection coming from the White House, the USTR, and industry, it will examine the trade secret provisions of the proposed Trans-Pacific Partnership Agreement and how the America Invents Act alters the choice between trade secret and patent protection. Based upon a piecing together of a number of legislative, diplomatic, and enforcement efforts, my preliminary thesis is that the real purpose of the AIA was to increase the value of trade secret protection for certain industries. The paper will conclude with a discussion of the policy implications of increased trade secret protection internationally and argue that such efforts are likely to move more U.S. manufacturing offshore.

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