

## Books

JOHN LOCKE, *TWO TREATISES OF GOVERNMENT* (Peter Laslett ed., Cambridge Univ. Press 1988) (1690)

ROBERT MERGES ET AL., *INTELLECTUAL PROPERTY IN THE NEW TECHNOLOGICAL AGE* 31-122 (2<sup>nd</sup> ed. 2000)

ROGER M. MILGRIM, *MILGRIM ON TRADE SECRETS* (1997)

JAMES POOLEY, *TRADE SECRETS* (1997)

ANNALEE SAXENIAN, *REGIONAL ADVANTAGE: CULTURE AND COMPETITION IN SILICON VALLEY AND ROUTE 128* (1994)

## Periodicals

Karen Alexander, *Ruling Boosts Ability To Hire from Competitors Courts: Intel Loses Bid for Injunction, but Suit Accusing Broadcom of Gleaning Secrets from Ex-Employees Will Proceed*, L.A. TIMES, May 27, 2000, at C1

John Allcock, Donald J. Sullivan, and James Pooley, *Overview of Trade Secrets Law*, in *TRADE SECRETS PRACTICE IN CALIFORNIA* § 1.2 (2d ed. 1996)

Vikas Bajaj, *Alcatel Guards Its Trade Secrets: Lashed by Industry Critics, VP Makes No Apologies for Lawsuits*, DALLAS MORNING NEWS, Sept. 3, 2000, at 1H, available at 2000 WL 25850899

Maureen B. Callahan, *Post-Employment Restraint Agreements: A Reassessment*, 52 UNIV. CHI. L. REV. 703 (1985)

Morgan Chu & Gail Standish, *When Secrets Walk: Reining in "Threatened Misappropriation"*, THE INTELL. PROP. STRATEGIST (May 1996)

Renee Deger, *Clash: Trade Secrets, Workers Rights*, THE RECORDER, June 18, 1998, at 1.

Gary L. Dickson & David O. Blood, *Choice Location*, 23 LOS ANGELES LAW. 33 (2000).

Pascal W. Di Fronzo, *A Little Knowledge Is a Dangerous Thing*, INTELL. PROP. MAG. (June 1996).

Benjamin A. Emmert, Comment, *Keeping Confidence with Former Employees: California Courts Apply the Inevitable Disclosure Doctrine to California Trade Secret Law*, 40 SANTA CLARA L. REV. 1171 (2000).

Ronald J. Gilson, *The Legal Infrastructure of High Technology Industrial Districts: Silicon Valley, Route 128, and Covenants Not To Compete*, 74 N.Y.U. L. REV. 575 (1999)

*Informix Corp.: Allegations Against Oracle Erroneous, Suit Is Dropped*, WALL ST. J., June 10, 1997, at B11

*Informix Drops Lawsuit Against Oracle; Firm Regrets Charge of Stealing Trade Secrets Through Hires*, S.F. EXAMINER, June 10, 1997, at C-1

Mark A. Kahn, *Application Group, Inc. v. Hunter Group, Inc.*, 14 BERKELEY TECH. L.J. 283 (1999)

Leslie Miller, Associated Press, *Noncompete Clauses Hurt Job Hunters; Companies Protect Corporate Secrets from Rival Firms* (Sept. 11, 2001), available at 2001 WL 3769828

Matthew K. Miller, Note, *Inevitable Disclosure Where No Non-Competition Agreement Exists: Additional Guidance Needed*, 6 B.U. J. SCI. TECH. L. 9 (2000)

*NBC Today: The Prevalence Today of Noncompete Agreements with Employers and How They Affect Employees' Futures* (NBC television broadcast, July 24, 2001)

Chiara Orsini, *Protecting an Employer's Human Capital: Covenants Not To Compete and the Changing Business Environment*, 62 U. PITT. L. REV. 175 (2000)

James Pooley, *The Sky Is Not Falling: When It Comes to Trade Secrets and Employee Mobility, a Little 'Inevitable Disclosure' Is Not Such a Bad Thing*, THE RECORDER, Nov. 1998, at S31.

Robert T. Quackenboss, *Inevitable Disclosure*, NAT'L L.J., May 7, 2001, at B7

Ameet Sachdev, *PepsiCo Agrees To Buy Quaker: Company To Be Acquired for \$13.4 Billion in Stock*, CHI. TRIB., Dec. 4, 2000, at 1

Joseph A. Slobodzian, *AT&T Sued over Departed VP: Is the Issue Trade Secrets, or Jealousy, in Case Involving Qwest?*, NAT'L L.J., Aug. 21, 2000, at B1

Michael Starr, *The Two Faces of Inevitable Disclosure*, MONDAQ BUS. BRIEFING, 2001 WL 8986722 (May 29, 2001)

Christopher T. Walsh, *Decision of Note: How a Diligent Employer Can Lose the Benefits of the Inevitable-Disclosure Doctrine*, 8 EMP. LAW STRATEGIST 1 (Sept. 2000)

Gary E. Weiss & Sean A. Lincoln, *Accepting the Inevitable: The California Court of Appeal Has Finally Adopted the Trade Secret Doctrine of Inevitable Disclosure*, THE RECORDER, Feb. 2000, at S6.

Susan Street Whaley, Comment, *The Inevitable Disaster of Inevitable Disclosure*, 67 U. CIN. L. REV. 809 (1999).

Jason S. Wood, *A Comparison of the Enforceability of Covenants Not To Compete and Recent Economic Histories of Four High Technology Regions*, 5 VA. J.L. & TECH. 14 (2000).

## Cases

*Advanced Micro Devices, Inc. v. Hyundai Elecs. Am.*, Santa Clara Superior Ct. No. CV752679 (Oct. 24, 1995) (First Amended Complaint).

*Application Group, Inc. v. Hunter Group, Inc.*, 61 Cal. App. 4th 881 (Cal. Ct. App. 1998).

Bayer v. Roche Molecular Systems, Inc., 72 F. Supp. 2d 1111 (N.D. Cal. 1999).

Cal Francisco Investment Corp. v. Vrionis, 14 Cal. App. 3d 318 (Cal. Ct. App. 1971)

California Steam Navigation Co. v. Wright, 6 Cal. 258 (1856)

Chamberlain v. Augustine, 156 P. 479 (Cal. 1916)

Computer Sciences Corp. v. Computer Sciences Int'l Inc., Nos. CV 98-1374-WMB SHX, CV 98-1440-WMB SHX, 1999 WL 675446 (Aug. 12, 1999)

Continental Car-Na-Var Corp. v. Moseley, 148 P.2d 9 (Cal. 1944)

Danjaq, LLC v. Sony Corp., No. CV 97-8414-ER, 1999 WL 317629 (C.D. Cal. Mar. 11, 1999)

Davis v. Jointless Fire Brick Co., 300 F. 1 (9th Cir. 1924)

Diodes, Inc. v. Franzen, 67 Cal. Rptr. 19 (Ct. App. 1968)

DoubleClick, Inc. v. Henderson, No. 116914/97, 1997 WL 731413 (N.Y. Sup. Ct. Nov. 7, 1997)

Earthweb, Inc. v. Schlack, 71 F. Supp. 2d 299 (S.D.N.Y. 1999), *aff'd*, No. 99-9302, 2000 WL 1093320 (2d Cir. May 18, 2000)

Electro Optical Industries, Inc. v. White, 90 Cal. Rptr. 2d 680 (Cal. Ct. App. 1999), *ordered depublished* (April 12, 2000)

Endicott v. Rosenthal, 16 P.2d 673 (Cal. 1932)

FMC Corp. v. Varco Int'l, Inc., 677 F.2d 500 (5th Circ. 1982)

Getz Bros. v. Fed. Salt Co., 81 P. 416 (Cal. 1905)

Globespan, Inc. v. O'Neill, No. CV 01-04350 LGB, 2001 WL 801609 (C.D. Cal. July 12, 2001)

Gordon v. Landau, 321 P.2d 456 (Cal. 1958)

Intel Corp. v. Broadcom Corp., No. CV 788310, 2000 WL 33260713 (June 20, 2000)

Int'l Bus. Mach. Corp. v. Seagate Tech. Inc., 941 F. Supp. 98 (D. Minn. 1992)

Latona v. Aetna U.S. Healthcare, Inc., 82 F. Supp. 2d 1089 (C.D. Cal. 1999)

Lumex, Inc. v. Highsmith, 919 F. Supp. 624 (E.D.N.Y. 1996)

Merchants' Ad-Sign Co. v. Sterling, 57 P. 468 (Cal. 1989)

Merck & Co. v. Lyon, 941 F. Supp. 1443 (M.D.N.C. 1996)

Metro Traffic Control, Inc. v. Shadow Traffic Network, 22 Cal. App. 4th 853 (Ct. App. 1994)

More v. Bonnet, 40 Cal. 251 (1870)

Morey v. Paladini, 203 P. 760 (Cal. 1922)

Morlife, Inc. v. Perry, 66 Cal. Rptr. 2d 731 (Ct. App. 1997)

Muggill v. Reuben H. Donnelly Corp., 398 P.2d 147 (Cal. 1965)

Novell, Inc. v. Timpanogos Research Group, Inc., 46 U.S.P.Q.2d 1197 (Utah D. Ct. 1998).

Official Aviation Guide Co. v. Am. Aviation Assocs., 150 F.2d 173 (7th Cir. 1945)

PepsiCo, Inc. v. Redmond, 54 F.3d 1262 (7th Cir. 1995)

Roll Systems, Inc. v. Shupe, No. 97-12689-GAO, 1998 U.S. Dist. LEXIS 3142 (D. Mass. Jan. 22, 1998)

Scott v. Snelling & Snelling, Inc., 732 F. Supp. 1034 (N.D.Cal. 1990)

State Farm Mut. Auto. Ins. Co. v. Dempster, 344 P.2d 821 (Cal. Ct. App. 1959)

Uncle B's Bakery, Inc. v. O'Rourke, 920 F. Supp. 1405 (N.D. Iowa 1996)

Vulcan Powder Co. v. Hercules Powder Co., 31 P. 581 (Cal. 1892)

Wright v. Ryder, 36 Cal. 342 (1868)

### **Statutes**

CAL. BUS. PROF. CODE § 16600 (West 1997)

CAL. CIV. CODE § 1673 (1872) (repealed 1941)

CAL. CIV. CODE § 3426 (West 1997)

UNIF. TRADE SECRETS ACT, 14 U.L.A. 437-38 (1990 & Supp. 2001)

RESTATEMENT (FIRST) OF TORTS § 757