CONCEPT OF TRADE SECRETS IN INDIA

Aruno Raj Singh*

*Assistant Professor, Department of Criminal & Constitutional Law, Teerthanker Mahaveer Institute of Management and Technology, Teerthanker Mahaveer University, Moradabad, Uttar Pradesh, INDIA Email id: arunorajsingh@gmail.com **DOI: 10.5958/2249-877X.2021.00108.9**

ABSTRACT

The researcher's goal with this article is to clarify India's legislative framework for trade secret protection. Because in the age of globalization, every company's unhappiness or success is dependent on its secrets whether they be strategy-related secrets or customer information trade secrets are becoming more important. Trade secrets provide a competitive advantage in the commercial world, and as a result, one must guarantee that his or her business-related private knowledge is properly protected from rivals. The purpose of trade secret legislation is to protect, maintain, and promote business ethics and reasonable transactions, as well as to urge modernisation. Since the advantages of the information economy have been rapidly increasing, trade secrets have become the Intellectual Property of Choice. So, in order to attain competent simplicity in commercial transactions, it is essential to outline the laws necessary to properly protect trade secrets in India, as well as for the smooth operation and fair competition of a business in the market. The researcher is attempting to emphasize the rules governing trade secrets in India via this study report. Furthermore, a conclusion will be offered based on case law examples in order to alleviate the inadequacies that trade secret owners confront. The practical scenario will evaluate how the law defines trade secrets, how it protects them, and the suggested measures.

KEYWORDS: Confidential, Intellectual Property, Legislation, Trade Secret.

REFERENCES

- 1. A. Kumar and A. Mishra, "Protecting Trade Secrets in India," J. World Intellect. Prop., 2015, doi: 10.1111/jwip.12050.
- 2. M. Z. M. Nomani and F. Rahman, "Intellection of trade secret and innovation laws in India," *J. Intellect. Prop. Rights*, 2011.
- **3.** M. Nair, "Protection of Trade Secrets/Undisclosed Information," J. Intellect. Prop. Rights, 2002.
- 4. Harshwardhan and S. Keshri, "Trade screts: A secret still to unveil," J. Intellect. Prop. Rights, 2008.
- P. Reddy T., "The 'Other IP Right': Is It Time to Codify the Indian Law on Protection of Confidential Information?," J. Natl. Law Univ. Delhi, 2018, doi: 10.1177/2277401718787951.

- 6. F. L. Inman, S. Singh, and L. D. Holmes, "Mass Production of the Beneficial Nematode Heterorhabditis bacteriophora and Its Bacterial Symbiont Photorhabdus luminescens," *Indian Journal of Microbiology*. 2012, doi: 10.1007/s12088-012-0270-2.
- 7. J. P. Panda, "Factoring the RCEP and the TPP: China, India and the Politics of Regional Integration," *Strateg. Anal.*, 2014, doi: 10.1080/09700161.2014.863462.
- 8. G. Patil, "Critical Analysis of 'The National Innovation (Draft) Act, 2008," *SSRN Electron. J.*, 2013, doi: 10.2139/ssrn.2239718.
- **9.** G. G. Nair, "Impact of TRIPS on Indian pharmaceutical industry," J. Intellect. Prop. Rights, 2008.
- **10.** G. P. Daswani, "Trade Secrets, Its Significance and a Comparative Analysis of Trade Secret Protection in Different Jurisdictions," *SSRN Electron. J.*, 2017, doi: 10.2139/ssrn.2869715.