



Lee Enterprises
Consulting

Case Study

Client

Law Firm

Project Number

17049

Team Members

Doug Rivers

Expert Witness for Ethanol Trade Secret Dispute

Summary of Client and Challenge They Faced

A law firm was defending two companies and two individuals in a trade secret misappropriation case in Federal Court. One company was an engineering firm and the second a fuel ethanol producer. The individuals were both former employees of the plaintiff, one an employee of the technology provider and the other an employee of the ethanol plant. The law firm needed an expert witness to evaluate the trade secret in question and provide an expert opinion.

Our Approach to the Solution

An LEC expert analyzed the trade secret technology in question compared to prior art and used his industry knowledge to thoroughly review the claimed misappropriated trade secret. He examined the discovery documents, the report of the plaintiff's expert, and the depositions of several people involved with the matter. Our expert witness also found several publicly available documents and reviewed these along with the available materials. The law firm received a comprehensive report on the technology in question and our expert provided deposition testimony.



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Client Results and Benefits

A review of the data from the first and only plant implementing the defendants' technology, and the plaintiff's selected plant data, showed that the defendants had implemented a similar but less productive technology as described in an expired U.S. patent issued to an independent third party. The comprehensive review of the trade secret and discovery of related prior art by LEC helped the law firm to strengthen their defendants' cases. As a result, the law firm was able to reach a favorable out-of-court settlement for their clients.