
BALANCING INNOVATION AND ACCESS: COMPARATIVE PERSPECTIVES ON TRADE SECRET LAWS AND THE SDGs

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ABSTRACT

Trade secrets are pivotal in maintaining competitive advantage by safeguarding confidential information that provides economic benefit. This comparative study evaluates trade secret laws across different jurisdictions and its impact on SDG's. In the context of trade secrets, the essential criteria for protection include commercial value, limited knowledge within a specific group, and reasonable measures for maintaining confidentiality. Unauthorized use or disclosure of such information is deemed unfair and a violation of trade secret protections.

In India, trade secrets are currently protected under general laws, including contract law, common law, and principles of breach of confidence. Despite the lack of specific legislation, recent developments such as the proposed "Protection of Trade Secrets Bill, 2024," and India's commitment as a signatory to the TRIPS Agreement, underscore the need for enhanced regulatory measures. In the United States, the Uniform Trade Secrets Act provides a comprehensive framework defining key terms such as "improper means" and "misappropriation. The act also standardizes trade secret protection across states, promoting uniformity in application. Germany's Act on the Protection of Trade Secrets emphasizes safeguarding trade secrets from unauthorized actions while recognizing public-law obligations and existing protections under occupational and criminal laws. It outlines permissible and prohibited actions regarding trade secrets, specifies exceptions, and addresses remedies for infringement, including pecuniary compensation and confidentiality measures. Japan's Unfair Competition Prevention Act (1993) covers a broad range of unfair practices, including wrongful acquisition and use of trade secrets.

This study highlights the varying approaches to trade secret protection across different legal systems and their impact on global business practices. It underscores the importance of aligning trade secret laws with international standards and sustainable development goals to foster innovation while ensuring fair competition and protection of confidential information.

Keywords: Trade Secrets, Confidential Information, Commercial Value, Misappropriation, Intellectual Property.

INTRODUCTION TO TRADE SECRETS.

A trade secret is confidential information that gives its owner a competitive advantage. It encompasses a range of information, including formulas, processes, or strategies that are not publicly known and are kept secret through various means. This secrecy must be actively maintained to safeguard the interest of its owner.

To qualify as a trade secret:

- The information must have commercial value due to its secrecy.
- It should be known only to a limited group of individuals.
- The rightful holder must take reasonable steps to keep it confidential, such as using confidentiality agreements with business partners and employees.

Unauthorized acquisition, use, or disclosure of such secret information that contravenes honest commercial practices is considered an unfair practice and a violation of trade secret protection.

The value of a trade secret lies in its confidentiality, which provides a competitive edge to its owner. Unlike patents, trade secrets are not registered or publicly disclosed, and they remain protected as long as their confidentiality is preserved. Legal protection for trade secrets arises from principles of breach of confidence and unfair competition, allowing the owner to seek remedies if the secret is misappropriated or disclosed without authorization.

METHODOLOGY-

This study utilizes qualitative comparative research to analyse the trade secrets laws across the United States, Germany, Japan, and India. By systematically reviewing and comparing legal frameworks, key statutes, and legislations from each jurisdiction, the research aims to identify similarities and differences in how trade secrets are defined, protected, and enforced. This approach allows for a nuanced understanding of the effectiveness and implications of trade secrets laws in different legal and cultural contexts, thereby providing insights into how these regulations impact businesses and their strategies for safeguarding confidential information.

INDIA – STATUS FOR REGULATIONS OF TRADE SECRETS.

India does not currently have a specific law dedicated to the protection of trade secrets. Instead,

trade secrets in India are protected through general laws related to contracts, common law and principles of breach of confidence and equity. The issue of trade secrets gained significant attention in 1977 when the Indian government requested Coca-Cola to disclose its cola formula, leading to Coca-Cola's exit from India until it re-entered the market a decade later. The common practice of protecting trade secrets in India is usually done by signing the NDA's i.e Non-disclosure agreements also known as confidentiality agreements. It is hence governed The Indian Contract Act. However, India has proposed "Protection of Trade Secrets Bill, 2024, recommended by the Law Commission of India in its 289th report in March 2024.

Recent developments, including the National Intellectual Property Rights Policy of 2016 and a Parliamentary Standing Committee Report, have highlighted the need for dedicated legislation to address trade secrets. India is also a signatory to the TRIPS Agreement (Trade-Related Aspects of Intellectual Property Rights), which emphasizes the importance of protecting trade secrets as part of international intellectual property standards.

USA - UNIFORM TRADE SECRETS ACT.

The act defines key terms used in the Act. "Improper means" encompasses methods such as theft, bribery, misrepresentation, and espionage. "Misappropriation" is defined as the acquisition, disclosure, or use of a trade secret without proper consent, particularly when obtained through improper means. The term "person" includes a wide range of entities, from individuals to government bodies. A "trade secret" is described as information with economic value not generally known or easily ascertainable, and it must be subject to reasonable efforts to maintain its secrecy.¹

Injunctive Relief - Under this section, courts are empowered to issue injunctions to prevent actual or threatened misappropriation of trade secrets. These injunctions will remain in place until the trade secret is no longer viable, though they may be extended to neutralize any commercial advantage gained through the misappropriation. In exceptional cases where a prohibitory injunction is deemed unreasonable, courts may allow continued use of the trade secret under the condition of paying a reasonable royalty. Additionally, courts can mandate specific actions to protect the trade secret as needed.²

¹ Uniform Trade Secrets Act, Sec. 1, 14 U.L.A. 437.

² Uniform Trade Secrets Act, Sec. 2, 14 U.L.A. 437.

Damages - This section outlines the remedies available for trade secret misappropriation. Complainants may recover damages for actual losses and any unjust enrichment resulting from the misappropriation. Alternatively, damages may be calculated based on a reasonable royalty for the unauthorized use or disclosure of the trade secret. If the misappropriation is found to be wilful and malicious, exemplary damages may be awarded, up to twice the amount of the actual damages.³

Attorney's Fees - Courts have the discretion to award reasonable attorney's fees to the prevailing party in certain situations, including when misappropriation claims are made in bad faith, when efforts to terminate injunctions are made in bad faith, or in cases of wilful and malicious misappropriation. This provision aims to deter frivolous claims and to compensate for the additional legal costs incurred due to such conduct.⁴

Preservation of Secrecy - In trade secret litigation, courts are required to take reasonable measures to preserve the confidentiality of the trade secret. This includes issuing protective orders, holding in-camera hearings, sealing records, and restricting disclosure to involved parties. Such measures are essential to prevent the trade secret from being exposed during legal proceedings.⁵

Statute of Limitations - An action for misappropriation must be initiated within three years from the time the misappropriation is discovered or should have been discovered with reasonable diligence. This section clarifies that a continuing misappropriation constitutes a single claim, and the statute of limitations is delayed until the aggrieved party becomes aware of the misappropriation.⁶

Uniformity of Application and Construction - The Act aims to standardize trade secret law across states that adopt it, ensuring uniform application and interpretation to promote consistency in the legal treatment of trade secret issues.⁷

³ Uniform Trade Secrets Act, Sec. 3, 14 U.L.A. 437.

⁴ Uniform Trade Secrets Act, Sec. 4, 14 U.L.A. 437.

⁵ Uniform Trade Secrets Act, Sec. 5, 14 U.L.A. 437.

⁶ Uniform Trade Secrets Act, Sec. 6, 14 U.L.A. 437.

⁷ Uniform Trade Secrets Act, Sec. 8, 14 U.L.A. 437.

GERMANY- ACT ON THE PROTECTION OF TRADE SECRETS, 2019.**Scope**

The act establishes the primary goal of the German Trade Secrets Act, which is to safeguard trade secrets from unauthorized acquisition, use, and disclosure. The section emphasizes that public-law obligations related to confidentiality, acquisition, or disclosure of trade secrets take precedence over the provisions of this Act. Additionally, it clarifies that the Act does not affect existing protections under occupational and criminal law, such as those specified in section 203 of the German Criminal Code. It also acknowledges the rights enshrined in the Charter of Fundamental Rights of the European Union, including freedom of expression and information, as well as the autonomy of social partners to enter into collective agreements. Finally, the section reaffirms that the rights and obligations related to employment relationships and the rights of workers' representatives remain unaffected.⁸

Definitions - The act provides for definitions necessary for the application of the Act. A 'trade secret' is described as information that is not generally known or readily accessible within the relevant industry, and which holds economic value. This information must have been subject to reasonable measures by its holder to maintain secrecy and must involve a legitimate interest in its confidentiality. The term 'trade secret holder' refers to any natural or legal person who lawfully controls a trade secret. An 'infringer' is defined as any person or entity who unlawfully acquires, uses, or discloses a trade secret in violation of the Act, except if an exception under Section 5 applies. Lastly, 'infringing goods' are those whose design, characteristics, or production process benefits significantly from an unlawfully obtained trade secret.⁹

Permissible Acts - The act outlines the permissible methods for acquiring trade secrets. It allows for the acquisition of trade secrets through independent discovery or creation. Additionally, it permits the observation, study, disassembly, or testing of goods that are either publicly available or lawfully possessed, provided there is no duty to limit the acquisition. The section also permits the acquisition of trade secrets in accordance with workers' rights to information and consultation or the rights of workers' representatives to participate in and

⁸ Act on the Protection of Trade Secrets of 18 April 2019, Sec. 1 (Federal Law Gazette I, p. 466)

⁹ Act on the Protection of Trade Secrets of 18 April 2019, Sec. 2 (Federal Law Gazette I, p. 466)

influence decision-making processes. Furthermore, the section confirms that trade secrets can be legally used or disclosed if authorized by law or through a transaction.¹⁰

Prohibited Actions - The act specifies the prohibited actions concerning trade secrets. It is unlawful to acquire a trade secret through unauthorized access to, appropriation, or copying of documents, objects, materials, substances, or electronic files containing the trade secret. Additionally, any conduct that contravenes the principle of good faith or honest market practices is prohibited. Once acquired, a trade secret cannot be used or disclosed if it was obtained through unauthorized means or if it involves a breach of a duty to limit its use or disclosure. This prohibition also extends to trade secrets acquired from third parties if the third party obtained them in breach of the Act, particularly when the trade secret is used for producing or selling infringing goods.¹¹

Exceptions - It enumerates the exceptions to the prohibitions outlined in Section 4. The acquisition, use, or disclosure of a trade secret is permitted if it serves to protect a legitimate interest. This includes exercising the right to freedom of expression and information, including respect for media freedom and pluralism. It also allows for the revelation of misconduct or wrongdoing if the purpose is to protect the public interest. Additionally, it permits disclosure by workers to their representatives if necessary for the representatives to fulfil their functions.¹²

Elimination and Injunctive Relief - The act provides that a trade secret holder has the right to demand the removal of an infringement from the infringer. If there is a risk of future infringement, the holder can also seek injunctive relief. The right to seek injunctive relief is applicable even in cases where the infringement is detected for the first time, ensuring that potential future violations can be addressed promptly.¹³

Information on Infringing Goods; Damages for Infringement of the Duty to Provide Information - The act grants the trade secret holder the right to demand detailed information from the infringer. This includes the names and addresses of manufacturers, suppliers, previous possessors of the infringing goods, and commercial consumers. It also covers the quantity of infringing goods manufactured or received, sales prices, and information about documents or

¹⁰ Act on the Protection of Trade Secrets of 18 April 2019, Sec. 3 (Federal Law Gazette I, p. 466)

¹¹ Act on the Protection of Trade Secrets of 18 April 2019, Sec. 4 (Federal Law Gazette I, p. 466)

¹² Act on the Protection of Trade Secrets of 18 April 2019, Sec. 5 (Federal Law Gazette I, p. 466)

¹³ Act on the Protection of Trade Secrets of 18 April 2019, Sec. 6 (Federal Law Gazette I, p. 466)

files related to the trade secret. If the infringer fails to provide this information intentionally or due to gross negligence, they are liable to compensate the trade secret holder for any resulting damage.¹⁴

Liability of the Infringer - The act states that an infringer who acts intentionally or negligently is liable to pay damages to the trade secret holder for any harm caused. The damages can include the infringer's profits resulting from the infringement or an amount equivalent to what the infringer would have had to pay for lawful use of the trade secret. Additionally, financial compensation for non-pecuniary damage may be demanded if equitable.¹⁵

Pecuniary Compensation - The act levies pecuniary compensation on an infringer who acted neither intentionally nor negligently to make pecuniary compensation to the trade secret holder to avoid claims under Sections 6 or 7. This compensation should reflect the appropriate contractual remuneration and should not exceed the amount equivalent to the duration of the trade secret holder's right to injunctive relief.¹⁶

Liability of Business Owners - Section 12 addresses the liability of business owners when the infringer is an employee or representative of the business. The trade secret holder can also claim against the business owner for failing to provide required information or for any other breaches of duty, provided the owner was grossly negligent.¹⁷

Confidentiality - The act allows the court to categorize information as sensitive if it may be a trade secret, upon application. All parties involved must maintain confidentiality of this sensitive information and cannot use or disclose it outside the proceedings. If sensitive information is categorized, third parties with file inspection rights will only see redacted versions.¹⁸

JAPAN - UNFAIR COMPETITION PREVENTION ACT, 1993.

the Act defines "Unfair Competition" as various acts that undermine fair business practices. This includes creating confusion with another's well-known goods or business by using identical or similar names or marks, or dealing in goods that use such indications. It also covers

¹⁴ Act on the Protection of Trade Secrets of 18 April 2019, Sec. 8 (Federal Law Gazette I, p. 466)

¹⁵ Act on the Protection of Trade Secrets of 18 April 2019, Sec. 10 (Federal Law Gazette I, p. 466)

¹⁶ Act on the Protection of Trade Secrets of 18 April 2019, Sec. 11 (Federal Law Gazette I, p. 466)

¹⁷ Act on the Protection of Trade Secrets of 18 April 2019, Sec. 12 (Federal Law Gazette I, p. 466)

¹⁸ Act on the Protection of Trade Secrets of 18 April 2019, Sec. 16 (Federal Law Gazette I, p. 466)

the misuse of famous indications as one's own and the act of transferring or dealing in goods that imitate another's product configuration, excluding essential functional features. Additionally, it addresses acquiring, using, or disclosing trade secrets through wrongful means, including theft or fraud, and doing so with knowledge or negligence regarding the wrongful nature of the acquisition. The Act also includes wrongful use or disclosure of trade secrets after becoming aware of their improper acquisition or disclosure. Further, it covers the unauthorized use of technical secrets and devices that circumvent technological restrictions on viewing or running programs. Dealing with domain names similar to another's specific indications for wrongful gain or damage, using misleading indications about goods or services, and making false claims that harm a competitor's reputation are also considered unfair competition. Lastly, the Act addresses unauthorized use of trademarks on similar goods or services without consent.¹⁹

It presumes that if a person acquires a technical secret through wrongful means (such as theft or improper acquisition) and subsequently uses that secret to produce goods or engage in other specified activities, it is assumed that the person has used the technical secret in the production or activities, aligning with the acts described in the relevant paragraphs of Article 2.

The act provides for confidentiality protective orders in litigation involving unfair competition. If a party shows that their trade secret is included in court submissions or evidence and its use outside litigation could hinder their business, the court may issue an order restricting the use or disclosure of the trade secret. This order is issued upon request and must specify the person subject to the order, identify the trade secret, and show the need to prevent harm. The protective order is effective upon service of a written ruling, and the party can appeal if the order is denied.²⁰

The act allows for the rescission of protective orders. A person affected by or requesting the order can file a motion to rescind it if the conditions for its issuance are not met or are no longer applicable. The court must rule on this motion and serve the decision in writing. An immediate appeal can be filed against the decision, which does not take effect until final. Additionally, if a protective order is rescinded during ongoing litigation and another order is in place, the court

¹⁹ Unfair Competition Prevention Act, Sec 2, Act No. 47 of May 19, 1993.

²⁰ Unfair Competition Prevention Act, Sec 10, Act No. 47 of May 19, 1993.

must notify the affected parties.²¹

Comparative Analysis of Trade Secrets Laws: United States, Germany, Japan, and India

Definition and Scope:

- **United States:** The Uniform Trade Secrets Act defines a trade secret as information with economic value that is not generally known and is subject to reasonable efforts to maintain its secrecy. This definition is clear and standardized across states, focusing on the confidentiality and value of the information.
- **Germany:** The Act on the Protection of Trade Secrets provides a similar definition but integrates additional aspects, such as public-law obligations and existing protections under occupational and criminal law. The act emphasizes that trade secrets must have economic value and be subject to reasonable measures to maintain secrecy, but also considers broader legal contexts.
- **Japan:** The Unfair Competition Prevention Act defines trade secrets within a broader framework of unfair competition. It includes wrongful acquisition and use as part of unfair practices and does not differentiate as distinctly between trade secrets and other forms of unfair competition.
- **India:** Trade secrets are currently protected through general principles of contract and common law, lacking a dedicated statute. The forthcoming "Protection of Trade Secrets Bill, 2024" is expected to offer a more precise definition, aligning more closely with international standards, but as of now, protection is less formalized.

Legal Framework and Remedies:

- **United States:** The act provides a comprehensive legal framework, including remedies such as injunctive relief, monetary damages, and attorney's fees. It also ensures measures to preserve secrecy during litigation, reflecting a robust system for trade secret protection and enforcement.
- **Germany:** The act offers detailed legal provisions for protecting trade secrets,

²¹ Unfair Competition Prevention Act, Sec 11, Act No. 47 of May 19, 1993

including injunctive relief and pecuniary compensation. It also addresses public-law obligations and worker rights, reflecting a balance between private trade secret protection and broader legal considerations.

- **Japan:** The act provides remedies within the context of unfair competition, including confidentiality protective orders and rescission of such orders if conditions change. The act emphasizes a broad approach to unfair practices rather than a specialized focus on trade secrets.
- **India:** Remedies for trade secret protection in India are based on general legal principles and may include enforcement through non-disclosure agreements and breach of confidence claims. The proposed bill aims to introduce specific remedies and protections.

Protection Mechanisms:

- **United States:** The act mandates reasonable efforts to maintain secrecy and provides detailed procedures for protecting trade secrets during litigation, such as protective orders and sealing of records.
- **Germany:** The act incorporates public-law obligations and existing criminal protections into its framework, allowing for detailed measures to prevent unauthorized use or disclosure and ensuring compliance with broader legal standards.
- **Japan:** The act allows for confidentiality protective orders during litigation and includes provisions for rescinding such orders, reflecting a flexible approach to trade secret protection within the context of unfair competition.
- **India:** Current protection mechanisms rely on general legal principles and non-disclosure agreements. The forthcoming bill is expected to introduce more formal mechanisms for trade secret protection, aligning with international standards.

Alignment with International Standards:

- **United States:** The act aligns with international standards, particularly the TRIPS Agreement, providing a consistent approach to trade secret protection.

- **Germany:** The act aligns with EU directives and standards, reflecting a comprehensive approach that integrates both national and European legal requirements.
- **Japan:** The act incorporates international principles within a broader framework of unfair competition, reflecting Japan's approach to trade secret protection in the context of global trade practices.
- **India:** As a signatory to the TRIPS Agreement, India is working towards aligning its trade secret protection with international standards through the proposed bill, aiming to create a more formalized and comprehensive legal framework.

Breach of Provisions

In the United States, breaches of trade secret laws under the Uniform Trade Secrets Act involve the unauthorized acquisition, use, or disclosure of trade secrets through improper means such as theft, bribery, misrepresentation, or espionage. The act provides robust remedies including injunctive relief to prevent ongoing or threatened misappropriation, monetary damages for actual losses and unjust enrichment, and exemplary damages for willful and malicious conduct. Courts also have the authority to award attorney's fees in cases where claims are made in bad faith or where misappropriation is found to be willful. The statute of limitations for initiating claims is three years from the discovery of the breach, with courts empowered to issue protective orders to maintain confidentiality during litigation.

In Germany, breaches of the Act on the Protection of Trade Secrets are defined as unauthorized acquisition, use, or disclosure of trade secrets, with specific provisions addressing public-law obligations and existing occupational and criminal law protections. The act provides for remedies such as injunctions to halt or prevent the use of trade secrets, pecuniary compensation for damages, and detailed information about infringing goods and their supply chain. The act allows for financial compensation even if the infringement was not intentional, and also holds business owners liable if employees or representatives are involved in the breach. Enforcement includes comprehensive court orders and measures to ensure confidentiality during legal proceedings.

In Japan, the Unfair Competition Prevention Act covers breaches broadly, including wrongful acquisition, use, or disclosure of trade secrets through acts like theft or fraud, as well as

subsequent use or disclosure upon realizing the improper acquisition. Remedies under the act include confidentiality protective orders and the possibility of rescinding such orders if conditions change. While it provides for monetary damages, its focus is more on preventing unfair competition than on specific trade secret remedies. The act's enforcement is integrated into a wider framework of unfair competition laws rather than a dedicated trade secret statute.

India currently lacks specific legislation for trade secrets protection and relies on general principles under contract law, common law, and breach of confidence. Breaches are addressed through non-disclosure agreements and general legal claims. The proposed "Protection of Trade Secrets Bill, 2024" aims to introduce specific remedies and formal enforcement mechanisms similar to those in other jurisdictions, including injunctive relief and monetary damages. Until this bill is enacted, enforcement in India remains less formalized compared to the more developed frameworks in the U.S., Germany, and Japan.

The key distinctions across these jurisdictions lie in the specificity of their legal frameworks and the types of remedies provided. The U.S., Germany, and Japan have established detailed statutes with specialized provisions for addressing trade secret breaches, whereas India is moving towards a more formalized approach with the anticipated legislation. Enforcement mechanisms are well-defined in the U.S. and Germany, integrating protective orders and detailed procedural guidelines, while Japan's approach is embedded in broader unfair competition laws. India's current enforcement is less formal but expected to improve with new legislation.

In summary, while the United States, Germany, and Japan have established legal frameworks with specific statutes for trade secrets, each with its distinct focus and remedies, India's approach is currently evolving. The forthcoming legislation in India aims to bring its protections in line with international standards, reflecting a global trend towards more formalized and standardized trade secret laws.

Impact on SDG's

The implementation of robust trade secret laws, such as India's proposed "Protection of Trade Secrets Bill, 2024," has far-reaching implications for several Sustainable Development Goals (SDGs). Enhanced trade secret protection directly contributes to **SDG 8: Decent Work and Economic Growth** by fostering innovation and encouraging investment in research and

development (R&D). When businesses can securely protect their proprietary information, they are more likely to invest in new technologies and processes, which drives economic growth and job creation. Additionally, strong trade secret laws support fair competition by preventing the unauthorized use of confidential information, thus ensuring a more equitable business environment.

In relation to **SDG 9: Industry, Innovation, and Infrastructure**, secure trade secrets are crucial for promoting technological advancement and infrastructure development. By protecting intellectual property, businesses are incentivized to innovate, which in turn supports the growth of industries and the development of resilient infrastructure. Trade secret laws attract investment into industries reliant on innovation, enhancing overall industry standards and contributing to sustainable industrial growth.

For **SDG 12: Responsible Consumption and Production**, effective trade secret protection ensures that businesses can safeguard their unique production processes and products. This reduces the risk of counterfeiting and intellectual property theft, thereby promoting responsible and ethical business practices. By providing legal avenues to address unauthorized disclosure or use of trade secrets, these laws encourage companies to adhere to high ethical standards in their operations.

SDG 16: Peace, Justice, and Strong Institutions is impacted through the strengthening of legal frameworks provided by trade secret laws. Comprehensive and clear trade secret protections enhance the integrity of the legal system, offering businesses reliable recourse against unfair practices and corporate espionage. This contributes to a more just business environment and reinforces strong institutions by ensuring fair treatment and legal certainty.

Ultimately, trade secret laws align with **SDG 17: Partnerships for the Goals** by enhancing global trade relations and facilitating international collaboration. By aligning with international standards such as those outlined in the TRIPS Agreement, countries can strengthen global partnerships and support cross-border business activities. This alignment helps multinational companies navigate diverse legal landscapes, fostering global business strategies and supporting international co-operation.

In summary, robust trade secret laws advance multiple SDGs by driving economic growth, supporting innovation, promoting fair and ethical business practices, strengthening legal

institutions, and facilitating international trade. As countries like India adopt more comprehensive trade secret protections, they contribute to sustainable development and global progress.

Conclusion

In conclusion, India's approach to trade secret protection is currently fragmented, relying on general principles from contract law, common law, and breach of confidence. This lack of specific legislation results in a less formalized framework compared to more established jurisdictions like the United States, Germany, and Japan. The anticipated "Protection of Trade Secrets Bill, 2024" represents a significant step towards aligning India's trade secret laws with international standards. This proposed legislation aims to introduce a more structured and comprehensive legal framework, enhancing protection mechanisms and remedies.

Having a dedicated trade secrets law is crucial for several reasons. It provides clear definitions and standards, ensuring consistent and effective protection for confidential business information. This legal certainty fosters a secure environment for innovation, encourages investment, and supports fair competition by preventing unauthorized use or disclosure of proprietary knowledge. Moreover, it aligns with international standards, enhancing India's attractiveness to global businesses and promoting its integration into the global economy. As India moves forward with this legislation, it is poised to strengthen its trade secret protections, thereby fostering a more robust and competitive business environment in line with global best practices.