



Criminal Trade Secret Law 刑事商業機密法

Protecting intellectual property is a significant concern for many companies. Under the Obama administration, the U.S. government increased its efforts to investigate and prosecute the alleged theft of corporate trade secrets by foreign nationals, especially Chinese nationals. Early indications suggest that the Trump administration is equally, if not more, likely to encourage prosecution of suspected trade secret theft, particularly when foreign nationals and U.S. national security are involved. Accusations of economic espionage by U.S. authorities are especially problematic for foreign companies because U.S. courts have exercised jurisdiction in civil and criminal cases where criminal offenses are alleged to have occurred outside the U.S. This presentation will discuss:

保護智慧財產權對很多公司是一個重要的利害關係。在歐巴馬政府下，美國政府增加了它的努力去調查和起訴可疑的商業機密偷竊之外國國民，尤其是華人國家。早期跡象建議川普政府同樣地，若無法增加，則有支持起訴有嫌疑的商業機密偷竊的可能，尤其是當外國國民和美國的國家安全被捲入時。被美國當局指控為商業間諜的外國公司尤其是疑難的，因為美國法院對提出犯罪的可疑犯法之民事和刑事案件行使司法權，是發生在美國以外的地方。在此將介紹討論：

- How the U.S. Department of Justice investigates and prosecutes criminal trade secret matters
美國的司法部門如何調查和起訴犯罪的商業機密事件
- U.S. law regarding economic espionage and trade secret theft
美國法律關於經濟間諜活動和商業機密偷竊
- Recent trends in trade secret investigations and prosecutions
最近趨勢之商業機密調查和起訴
- Measures that foreign companies, particularly Chinese companies, can take to protect themselves from U.S. government scrutiny, and also to protect valuable trade secrets
外國公司，尤其是華人的公司，可以從美國政府監視下採取保護他們自己，以及也保護有價值的商業機密之措施