

Approaches Towards Trade Secret Protection: A Comparative Study of India and International Jurisdictions

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Abstract:

In today's competitive and technology-driven business environment, trade secrets have become an important asset for companies across the world. Confidential business information such as formulas, business strategies, customer data, and manufacturing processes plays a major role in maintaining commercial advantage. At the same time, the rise of corporate espionage, cyber threats, and unauthorized disclosure of confidential information has increased the need for effective legal protection of trade secrets. This research paper examines the approaches towards trade secret protection in India and compares them with the legal frameworks followed in selected international jurisdictions such as the United States, the United Kingdom, and the European Union.

The study is based on a doctrinal and comparative research methodology. It analyzes laws, judicial decisions, international standards, and policy measures relating to trade secret protection in different jurisdictions. The paper particularly studies the statutory protection available under the United States Defend Trade Secrets Act and the European Union Trade Secrets Directive, while also examining the legal position in India, where protection is mainly derived from contract law, equity, and judicial interpretation.

The research finds that countries like the USA and members of the European Union have developed clearer and more structured legal systems for the protection and enforcement of trade secrets. In contrast, India still lacks a specific legislation dedicated to trade secret protection, which creates uncertainty in enforcement and remedies. The paper highlights the need for a comprehensive legal framework in India that balances international standards with domestic business needs. The study aims to contribute to discussions on improving intellectual property protection and strengthening business confidence in India.

Keywords:

Trade secrets, corporate espionage, comparative law, intellectual property, legal protection.