

Employee Friendly Laws Boon For New Yahoo Chief

News

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Mike Greco, a partner in the Philadelphia office and co-editor of the firm's Non-Compete and Trade Secrets Blog, was quoted in several publications after he posted an article about former longtime Google executive Marissa Mayer moving to Yahoo to become that company's new CEO. Questions have arisen about how the executive could go to work for a major competitor without violating a non-compete agreement. In his blog post, Mike said that even if Mayer had a non-compete agreement, California courts have rejected the inevitable disclosure doctrine, a judicial doctrine by which courts will stop an ex-employee from working for a competitor if the employee's new job will inevitably lead to the disclosure of the former employer's trade secrets. The July 20 *Daily Journal* article "Employee Friendly Laws Boon For New Yahoo Chief" noted that the laws are not the same in every state. Mike said that a Pennsylvania judge might keep Mayer from jumping to a competitor for one to three years.

In the July 20 *Corporate Counsel* article "Mayer Didn't Have a Non-Compete, But Your Competitor Might" Mike offered ways employers could protect themselves against potential litigation when they hire talent away from a direct competitor. He said the first step companies ought to take when luring talent from their competitors is to understand the legal language around non-competes available in their state. He noted that employers should adjust their agreements based on the employees they are concerned about like executives, branch managers, and senior information technology officers.

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