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MARNIE A. JENSEN
OMAHA:
402.964.5034
MARNIE.JENSEN@
HUSCHBLACKWELL.COM

KAMRON T. HASAN
OMAHA:
402.964.5176
KAMRON.HASAN@
HUSCHBLACKWELL.COM

RYANN A. GLENN
OMAHA:
402.964.5220

Husch Blackwell Scores Eighth Circuit Win for Farmobile in Trade Secret Dispute

Husch Blackwell prevailed before the U.S. Court of Appeals on behalf of Farmobile LLC in trade secret litigation initiated by a competitor in 2016. Previously, Farmobile had secured a complete summary judgment victory in May 2018 from a federal district court.

The earlier court ruling granted summary judgment to Farmobile. U.S. District Judge Joseph Bataillon dismissed all claims brought by Farmers Edge, writing that the plaintiff “failed to identify any use or disclosure of the alleged trade secrets” and that it failed to sustain “its burden to show that it is entitled to the requested damages or equitable relief in the form of assignment of Farmobile’s patent rights.” Farmers Edge had brought the lawsuit alleging misappropriation of trade secrets and seeking a judgment be entered declaring Farmers Edge to be the owner of certain Farmobile intellectual property.

The circuit court affirmed the summary judgment, stating that “neither of the three individuals were hired to invent and thus did not breach an implied contract.” The court also held that the plaintiff “did not take reasonable efforts to maintain the secrecy of the information it alleges was a trade secret and thus the information was not protected.”

Based in Leawood, Kansas, Farmobile—The Independent Farm Data Company™—offers technology that enables farmers to collect, share and monetize their farm data to improve efficiencies and increase farm revenues. Its founders—Jason Tatge, Heath Gerlock and Randy Nuss—are former employees of a company previously acquired by Farmers Edge.

“This was a huge team effort on a difficult case spanning almost five years,” said Marnie Jensen, the lead Husch Blackwell partner on the litigation. “Our

clients were adamant from the beginning that this lawsuit was baseless, and ultimately, the court agreed in unequivocal terms.”

The Jensen-led team included Kamron Hasan, Ryann Glenn, Michael Raupp, Megan Scheiderer, Derek Teeter, Dustin Taylor, Sierra Faler, Audrey Murphy, Petey Bailey and Tricie Loudon.