

CASE STUDY



Farmobile LLC

LEAWOOD, KSOVERVIEW

Farmers Edge alleged that Farmobile’s co-founders—former employees of a company acquired by Farmers Edge in 2014—had misappropriated purportedly proprietary information in the development of farm data-collection and standardization technologies. Farmobile turned to Husch Blackwell to defend it in potentially enterprise-threatening litigation.

Challenges

Trade secret litigation has spiked dramatically in recent years since the enactment of the Defend Trade Secrets Act of 2016, and frequently, it is brought by plaintiffs whose former employees have left the company to begin a new venture. Defending these cases presents special challenges from a pleading and discovery perspective and often involves parallel litigation in connection with intellectual property. Defendants are often asked to disclose in discovery their own trade secrets before even fully understanding what their opposition contends to be the specific trade secrets at issue. This presents special challenges and strategic decisions must be made early on in the litigation.

Solution

From the beginning, Farmobile focused on the granular details on the distinct differences between the intellectual property and products involved. Farmobile’s team approached discovery in a targeted, tactical manner in order

Industry

Food Systems

Services

Appellate

Litigation & Alternative Dispute Resolution

Non-Competes & Restrictive Covenants

Trade Secrets & Business Information Protection

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to make it clear to the Court that not only had no trade secrets been identified, but also that there was no misappropriation of what Farmers Edge alleged to be its “trade secrets” under the applicable law.

Result

Persuasive argument by the Husch Blackwell team resulted in a complete victory on summary judgment for Farmobile in Federal Court. In dismissing all claims, the Court held that the plaintiff “failed to identify any use or disclosure of the alleged trade secrets” and failed to prove it was entitled to damages or relief. The lower court’s decision was affirmed by the U.S. Court of Appeals for the Eighth Circuit.