

***Texas Lawyer:***  
**Get Smart About Non-Competes**

*Texas Lawyer* has signed up Alan Bush as a freelance contributor. His latest article, "Get Smart About Non-Competes," appeared in the *In-House Texas* pullout on April 1.

Here's what Alan had to say about respecting a competitors' legitimate trade secrets and non-competes:

In-house counsel should keep their eyes peeled for other market players' noncompetition agreements. Understanding how noncompetes work can bolster the company's efforts to recruit the skilled, experienced employees that other companies in the industry can't retain. A shrewd legal department develops a reputation for respecting competitors' legitimate noncompetes while aggressively fending off attempts to overreach.

Noncompete agreements come in a million flavors. Some have global restrictions that last for years. Others are narrow and short. Some nonsolicitation agreements only protect a competitor's existing client base, leaving the rest of the market wide open. There's no telling what a candidate's employment agreement says until in-house counsel reads it...

Read the [full article](#) for more. In it, Alan lays out some practical steps on how to:

- Ask job candidates for their non-competes and defensively document what you've seen;
- Evaluate a competitor's non-compete agreement; and
- Manage the risk of your competitor filing a trade secret enforcement action.



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For more insight into how solid HR practices impact your company's strategic operations, visit Alan's employment law blog at [hrriskybusiness.com](http://hrriskybusiness.com).

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