

Court's \$179 Million Award Underscores Importance of Confidentiality Agreements

"In an important lesson for both employers and employees a California superior court judge affirmed a \$179 million arbitration award against a former Uber executive, Anthony Levandowski, for stealing Google's trade secret information and soliciting its employees to benefit Uber. See *Google LLC v. Levandowski et al.*, Case No. CPF-20-516982. Levandowski, who also faces criminal charges from the U.S. Attorney's office for theft and attempted theft of trade secrets, filed for bankruptcy following the judge's order," reports Aaron Goldstein and Jasmine Hui in Dorsey's *Publications*.

"The court's ruling underscores the importance of well-crafted confidentiality, non-compete, and non-solicit agreements. Over the course of Levandowski's employment with Google, he signed at least four separate agreements which included either non-compete, non-solicit, confidentiality, and nondisclosure provisions, or a combination thereof. The panel of arbitrators in the underlying case held, among other things, that Levandowski breached these employment contracts with Google by misusing Google's confidential information and attempting to solicit Google employees."

"Google hired Levandowski in 2007, where he co-founded the company's autonomous vehicle project, which later became Waymo, LLC. In 2015, Levandowski left Google and formed a new self-driving company, Ottomotto, Inc. In 2016, Uber acquired Ottomotto, Inc. and hired Levandowski to head its autonomous vehicle department. Shortly thereafter, Google filed two arbitration demands against Levandowski and another former Google employee who moved to Uber."

Read the article.