

Choice of Law and Covenants Not to Compete

Drinker Biddle & Reath's *The Restricting Covenant* series takes a look at two states' competing views on the enforceability of restrictive covenants and the critical importance of conducting a "choice of law" analysis to settle this feud.

Author Lawrence Del Rossi explains the backstory: "With respect to restrictive covenants, the conflict between Delaware, which is generally considered a 'pro-enforcement' jurisdiction, and California, which is generally considered an 'anti-enforcement' jurisdiction, definitely stands out in the crowd."

The article compares freedom to contract versus freedom from restraints on trade and finds some common ground coast-to-coast.

Read the article.