

**Hearing on “Economic Espionage and Trade Secret Theft:
Are Our Laws Adequate for Today’s Threats?”**

**Questions for the Record
from Senator Flake for Douglas K. Norman**

Question 1. Do you agree that both domestic and foreign misappropriation of trade secrets is a growing and persistent problem?

Answer: I agree. Trade secret misappropriation is an increasing problem in the United States and around the world.

Trade secret protection is critical to the innovation cycle for business of all sizes across industry sectors. Unfortunately, the information and know-how protected as trade secrets are particularly vulnerable to misappropriation. Companies that operate globally experience trade secret theft domestically, they experience it overseas, and they experience it domestically for purposes of using it overseas.

Wherever trade secret theft happens, it harms innovation and job creation, and we therefore appreciate Congress’s attention to this matter.

Question 2. Do you support legislation that would provide additional tools to protect companies against domestic and foreign trade secret theft?

Answer: Eli Lilly and Company and the Protect Trade Secrets Coalition support a uniform, harmonized system for protecting trade secrets both domestically and abroad. The tools thieves are using in their attempts to steal our trade secrets are growing more sophisticated and our laws need to keep pace.

We support the Defend Trade Secrets Act because it will provide a uniform federal remedy for trade secret owners that will enhance our ability to act quickly and effectively when our trade secrets are stolen. This would put trade secret protection in-line with the remedies available to owners of other forms intellectual property.

In addition, the legislation would establish the gold standard for trade secret laws globally, which is important in our effort to prevent foreign trade secret theft. We appreciate your focus on the foreign component of the problem, and we look forward to working with you on our shared objective of protecting trade secrets and thereby encouraging investment in research, innovation, and job creation.