

Abrams Fensterman Wins Dismissal Of All Claims In Trade Secret And Unfair Competition Lawsuit

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Abrams Fensterman recently earned a major win for its client, a prominent market research firm, which was sued by a competitor alleging that multiple parties engaged in a wide-ranging conspiracy to steal and misuse trade secret data worth millions of dollars. The plaintiff filed a lawsuit in the U.S. District Court for the Southern District of New York asserting claims for theft of trade secrets under 18 U.S.C § 1836 (the Defend Trade Secrets Act), unfair competition, and civil conspiracy. The plaintiff sought statutory damages, compensatory damages, punitive damages, royalties, and a permanent injunction.

Abrams Fensterman filed a pre-answer motion to dismiss all claims against its client, and argued that the plaintiff failed to show any misappropriation of any trade secret, or any conspiracy to misappropriate trade secrets.

Partner, [Justin Kelton](#), who led the case, stated,

“We’re thrilled that our aggressive defense led to a fast dismissal of all claims against our client. We appreciate the court’s thoughtful decision, and we will continue to vigorously defend our clients against baseless litigation.”

On January 31, 2025, Hon. Gabriel W. Gorenstein of the Southern District of New York issued a decision granting Abrams Fensterman’s motion to dismiss in full. In granting the motion, the court found that the plaintiff failed to show that Abrams Fensterman’s client received any of the data at issue, or that it engaged in any misappropriation or conspiracy to misappropriate data.

Abrams Fensterman’s team was led by [Justin T. Kelton](#), partner and Co-Chair of the Firm’s [commercial litigation](#) department, and associate [Amanda Small](#).