

Jury Orders Tata to Pay \$210 Million for Trade Secret Misappropriation

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On November 17, 2023 a federal jury in Texas found Tata Consultancy Services Ltd. (“TCS”) guilty of stealing trade secrets from Computer Science Corp. (“CSC”) and ordered TCS to pay \$210 million in damages. After a six-day trial, the jury found that TCS stole CSC’s source code and other confidential information concerning its Vantage-One and CyberLife software platforms and used CSC’s information in an attempt to develop its own competing life insurance software. The jury assessed \$70 million in damages for the unjust enrichment to TCS from its misappropriation of CSC’s trade secrets, and awarded an additional \$140 million in punitive damages based on its finding that TCS’s misuse was “willful and malicious.”

CSC had licensed the software at issue to a TransAmerica subsidiary, Money Services, Inc. (“MSI”), under a confidentiality and non-disclosure agreement. CSC alleged that, in 2018, as part of a partnership with TransAmerica, TCS hired 2,200 TransAmerica/MSI employees, and then used their access to CSC’s software and knowledge of its source code and other proprietary information to build a competing life-insurance platform.

The CSC lawsuit bears notable similarities to a prior trade secret lawsuit filed against TCS by Epic Systems Corp. (“Epic”), a medical software company, which resulted in a \$940 million jury verdict that was ultimately reduced to \$280 million. In that case, a Wisconsin jury found that TCS stole Epic’s trade secrets and confidential information and used it in developing a competing medical records software. Indeed, CSC pointed to the Epic case in its Complaint, asserting that injunctive relief was necessary because TCS had “learned nothing from the outcome of the Epic litigation.”

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