

Tenth Circuit Affirms Summary Judgment on Trade Secret Claims in *Double Eagle v. Hooper*

Publications

July 2025

By: Elizabeth Baldrige

The Tenth Circuit recently upheld an Oklahoma District Court's summary judgment ruling in favor of a trade secret defendant based on insufficient specificity as to the trade secrets at issue, as well as a lack of proper secrecy over those alleged trade secrets. The case, styled as *Double Eagle Alloys, Inc. v. Hooper*, included claims under the Defend Trade Secrets Act (DTSA), Oklahoma Uniform Trade Secrets Act (OUTSA), common law misappropriation, and civil conspiracy.

The *Double Eagle* plaintiff alleged that its former employee took sensitive files from the company when he left, including product quality specifications, pricing data, and customer drawings. The district court found that the plaintiff did not prove its materials warranted trade secret protection, including because it did not sufficiently differentiate protected from unprotected information. The court dismissed the common law misappropriation claim for lack of evidence of secrecy, and the civil conspiracy claim for the absence of an underlying tort.

The plaintiff appealed each of the district court's bases for its ruling. But the Tenth Circuit affirmed the summary judgment order, ruling that Double Eagle did not meet its burden to show that its material warranted trade secret protection. In contrast, the defendants offered proof that they independently developed the same or similar product quality specifications, and that other material was readily ascertainable to the public. The Circuit Court also affirmed the trial court's finding that the plaintiff failed to show what steps it had taken to keep its information secret, and many documents were already available through competitors or customers. Key information, such as pricing data and customer drawings, had been publicly disclosed or shared with third parties. The court also noted that the affidavits the plaintiff presented were conclusory and lacked specifics about the trade secrets or how they were safeguarded.

The ruling underscores the weight of the burden on trade secret plaintiffs to prove their entitlement to trade secret protections.

This article is available in the Jenner & Block Japan Newsletter. / この記事はJenner & Blockニュースレターに掲載されています。

Related Attorneys



Elizabeth Baldrige

Special Counsel
ebaldrige@jenner.com
+1 213 239 5174

Related Articles

Jenner & Block Japan Newsletter | July 2025

Related Capabilities

Japan Practice

Trade Secrets and Restrictive Covenants

© 2026 Jenner & Block LLP. Attorney Advertising. Jenner & Block LLP is an Illinois Limited Liability Partnership including professional corporations. This publication, presentation, or event is not intended to provide legal advice but to provide information on legal matters and/or firm news of interest to our clients and colleagues. Readers or attendees should seek specific legal advice before taking any action with respect to matters mentioned in this publication or at this event. The attorney responsible for this communication is Brent E. Kidwell, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654-3456. Prior results do not guarantee a similar outcome. Jenner & Block London LLP, an affiliate of Jenner & Block LLP, is a limited liability partnership established under the laws of the State of Delaware, USA and is authorised and regulated by the Solicitors Regulation Authority with SRA number 615729. Information regarding the data we collect and the rights you have over your data can be found in our Privacy Notice. For further inquiries, please contact dataprotection@jenner.com.

Stay Informed

