Can you protect your IP with an NDA?

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An NDA (Non Disclosure Agreement) is a legal document ensuring the confidentiality of proprietary information. Archana Shanker and Priya S. delve into the why and when of an NDA which, they say, is a major player in protecting your IP rights.

"Depending on the nature of the parties, including low-riskers such as investors and high-riskers such as competitors and start-ups, the type of NDA which should be used varies. Accordingly, NDAs can be unilateral, bilateral, confidentiality deed or multi-party. Investors have the least interest in stealing confidential information as they are only interested in investing their money in the technology. On the contrary, start-ups are at high risk if they share confidential information, which are novel ideas of the invention. An early stage of development of a new product or service is always at high risk of getting copied or stolen by competitors. It thus becomes extremely important for the high-riskers to put their NDA in place before even starting a discussion. Also, any future merger and acquisitions, licensing or sales would require a strong NDA to prevent jeopardizing the confidentiality. Apart from the risk evaluators, even the on-boarding process of new employees requires to have an NDA established between the company and the employee."

Read through the nuances of an NDA in Asia IP's recent feature, 'Can you protect your IP with an NDA?' here.

Read more:

- Archana Shanker features in the prestigious list of the "Top 250 Women in IP" by Managing Intellectual Property - IP Stars.
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