

# VIRGINIA LAWYERS WEEKLY

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## VIRGINIA'S Largest Verdicts of 2011

### TRADE SECRETS

# #1 \$919.9 million

## DuPont v. Kolon Industries

**Type of case:** Trade secrets

**Court:** U.S. District Court, Richmond

**Attorneys:** Brian C. Riopelle and Rodney A. Satterwhite, Richmond; Michael J. Songer, Washington; et al.

**Summary:** Chemical giant DuPont won the largest verdict ever in Virginia after an eight-week trial featuring claims of malicious misappropriation of trade secrets involving the high strength fibers used in Kevlar body armor.

DuPont claimed the trade secret theft began in 2006 after a former Kevlar salesman for DuPont left the company and began working with South Korean manufacturer Kolon Industries.

Since the trial, Judge Robert E. Payne has granted DuPont's motion for punitive damages, and awarded the statutory cap of \$350,000, according to Brian C. Riopelle, an attorney for DuPont. Payne has also ruled that Kolon must provide notification if it intends to transfer more than \$250,000.

Kolon has filed motions for judgment as a matter of law, and a motion for a new trial. The court will hear those motions on Jan. 24. In addition, DuPont has moved for an award of its attorneys' fees.

Additionally, Kolon filed an antitrust counterclaim, which is currently scheduled for March. However, Kolon has since filed a motion to stay the antitrust case and to stay the hearing on the injunction in the trade secret case.



**RIOPELLE**



**SATTERWHITE**