SpencerFane®

Spencer Fane Delivers Federal Circuit Victory in Long-Running Trade Secret Dispute

On January 28, a Spencer Fane team led by attorney Keith Call secured a favorable Federal Circuit Court of Appeals ruling for firm client MarketDial, Inc., triumphantly concluding a yearslong intellectual property dispute brought by the dominant analytics arm of a leading global technology and financial company.

Since 2018, MarketDial – a Utah-based software startup – and its co-founders have faced aggressive litigation over trade secret misappropriation claims related to the use of testing-focused business analytics software. Through a diligent defense that included motions and briefs from Andrew Roth, appeal brief assistance from Rod Parker, research from John B. Allen, and background support from **Nate Hoffman** and **Stephanie Chavez**, the client prevailed. The three-judge appeals panel affirmed the 2024 summary judgment in the case, agreeing with the lower court's judgment that the plaintiff failed to clearly define the alleged trade secrets.

"We're glad to have the affirmance from the Federal Circuit, and we're so grateful for our amazing counsel," MarketDial's General Counsel Greg Osborne stated to *Law360*. "We want to compete in the market, not in the courtroom … In our view, this case was designed to chill competition rather than protect any legitimate trade secrets."

As part of a firm that understands the importance of protecting a business's competitive position, the Utah team was pleased to help secure this outcome in what has previously been described as a battle against a 'Goliath' so MarketDial can continue providing solutions to its retailer customers. With locally and nationally recognized professionals on the firm's Litigation and Dispute Resolution bench, Spencer Fane will continue to deploy collaborative and thoughtful strategy aligned with each client's perspective and goals.