



# Eric Ostroff

**Managing Partner and Co-Chair,  
Trade Secrets and IP Group**

**Trade Secrets & IP, Commercial Litigation, Employment,  
Trial Practice**

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## About Eric Ostroff

Eric Ostroff, Meland Budwick, P.A.'s Managing Partner, focuses his practice on business litigation and intellectual-property litigation. Chambers USA describes him as an "outstanding attorney" who "wins praise for his extensive experience in commercial disputes, with a notable expertise in trade secrets cases." Eric is one of the youngest attorneys included in Chambers USA's rankings of Florida commercial litigators.

Businesses and individuals trust Eric to protect their interests in courts and arbitrations throughout Florida and across the country, often in bet-the-company cases. He regularly litigates a broad range of business disputes, including cases involving breaches of contract, business torts, officer/director fiduciary duties, business defamation, civil conspiracy, unfair competition, false advertising, real estate, and deceptive and unfair trade practices. He also represents plaintiffs and defendants in trademark and copyright

infringement actions. Eric is an experienced trial lawyer who has tried many cases to verdict, before judges, juries, and arbitration panels.

Eric helps businesses protect their trade secrets and proprietary information, both before and during litigation. He works with businesses to identify their trade secrets and ensure that they are taking all steps necessary to protect this critical information. And he has extensive experience prosecuting and defending trade-secret and noncompete actions, including obtaining emergency injunctive relief. For example, he obtained a jury verdict against a client's former sales director, who secretly created a competing company using the client's proprietary information.

Eric has frequently been quoted in various media outlets regarding business litigation and trade-secrets issues, including the New York Times, Bloomberg, Reuters, and the Miami Herald. He is also the author of the Protecting Trade Secrets blog, which can be found at [www.protectingtradesecrets.com](http://www.protectingtradesecrets.com). And he is frequently invited to speak throughout the country about trade secrets and intellectual property, as well as about using advanced technology in litigation.

Before joining Meland Budwick, P.A., Eric worked for five years at Weil, Gotshal & Manges LLP, where he was part of the Employment Litigation and Complex Commercial Litigation practice groups.

## **Education**

- University of Miami School of Law, J.D., summa cum laude, 2004
  - University of Miami Law Review
  - Order of the Coif
- Emory University, B.A., Political Science, 2001

## **Memberships**

- The Sedona Conference Working Group on Trade Secrets, Drafting Team Co-Chair and Dialogue Leader
- American Intellectual Property Law Association, Trade Secrets Committee and Trademark Litigation Committee
- Section of Litigation, American Bar Association
- Trial Lawyers Section, The Florida Bar
- Member, Dade County Bar Association

## **Awards and Rankings**

- Daily Business Review Florida Legal Awards, Distinguished Leaders, 2022
- Ranked, Chambers USA Guide, General Commercial Litigation 2017-2023
- Ranked, Chambers USA Guide, Intellectual Property, 2021-2023
- AV-rated, preeminent in his field, by Martindale-Hubbell
- Legal Services of Greater Miami, 2019 Pro Bono Honoree
- Lawyers for Children America's John Edward Smith Child Advocacy Award, 2006
- Weil Gotshal & Manges LLP's Pro Bono Service Award, 2005, 2006, 2007

## **Publications**

- The Sedona Conference, Protecting Trade Secrets in Litigation About Them, March 2022
- “Protecting Trade Secrets” blog [protectingtradesecrets.com](http://protectingtradesecrets.com)
- “Enforcing Noncompete and Nonsolicitation Agreements in Florida,” Daily Business Review, December 22, 2010
- “5 Ways to Shrink the Threat of an Employee’s Exit to Proprietary Info,” Entrepreneur, April 29, 2014
- “Seeking Trade Secret Protection? Don’t Rely on a Label.,” Entrepreneur, May 12, 2014
- “Avoid These 6 Mistakes When Safeguarding Proprietary Information,” Entrepreneur, June 20, 2014
- “The ‘George Costanza Defense’ to Stealing Trade Secrets, Entrepreneur,” October 21, 2014
- “Lessons for Employers from Obama’s Push Back Against Noncompetes,” Daily Business Review, December 9, 2016

## **Bar Admissions**

- State of Florida
- Southern District of Florida
- Middle District of Florida
- Northern District of Florida
- United States Court of Appeals for the Eleventh Circuit
- United States Court of Appeals for the Federal Circuit

## **Representative Matters**

Practice Area	Representative Matters
Trade Secrets & IP, Commercial Litigation	Represented Glenn Beck, Mercury Radio Arts, Inc., and TheBlaze, Inc. in multiple litigations in Texas and Delaware against the companies' former CEO for violating a restrictive covenant and breaching his fiduciary duty.
Trade Secrets & IP, Commercial Litigation	Represented a national staffing company in a JAMS arbitration asserting claims against the company's former president for, among others, misappropriation of trade secrets and breaching a non-compete agreement. Following a week-long trial, obtained judgment in our client's favor on all counts.
Trade Secrets & IP, Commercial Litigation	Represented Crown Linen, LLC in a trade secrets, FDUTPA, and tortious interference claim against its former sales director, who started a competing company. Obtained a jury verdict in Crown Linen's favor.
Trade Secrets & IP	Represented a professional sports league in a trademark infringement, false advertising, and unfair competition action in the Southern District of New York, brought by a competing sports league.
Trade Secrets & IP	Represented large insurance company in litigation against former employees for stealing trade secrets. Obtained an emergency injunction.
Trade Secrets & IP	Represented national private jet charter company in trade-secrets action brought by a national fractional-share jet company in the Southern District of Ohio.
Trade Secrets & IP	Represented leading provider of secondary-market sports and event ticket services in trade-secrets action against the company's former CTO.
Trade Secrets & IP	Represented large real estate brokerage in trade-secrets litigation brought by national brokerage in the Southern District of New York.
Trade Secrets & IP	Represented UK-based manufacturer of proprietary construction materials in trade-secrets action against a former business partner.

Trade Secrets & IP	Represented former CEO of a multibillion-dollar insurance company in restrictive covenant litigation with his former employer.
Trade Secrets & IP, Commercial Litigation	Represented Nationwide healthcare provider in multiple litigations to protect trade secrets and proprietary information.
Trade Secrets & IP	Represented medical supplies company in litigation and arbitration asserting misappropriation-of-trade-secrets claims against a former business partner.
Trade Secrets & IP	Represented electronics company in action brought by a competitor asserting misappropriation of trade secrets.
Trade Secrets & IP	Represented large real estate brokerage in litigation against former salespeople for violating restrictive covenant.
Trade Secrets & IP	Represented an international security company in non-compete dispute with a competitor.
Trade Secrets & IP	Defended healthcare company against claims of trademark infringement.
Commercial Litigation	Represented 40% owners of international wine company in litigation against management asserting breach of fiduciary duty and appointment of a receiver.
Commercial Litigation	Represented private equity company in multi-state litigation with another private equity company asserting breach of fiduciary duty and other claims.
Commercial Litigation	Represented investors in national cannabis company in action against management asserting breaches of fiduciary duty.
Commercial Litigation	Represented investor defrauded out of \$10MM investment in litigation against the investment sponsor/manager.
Commercial Litigation	Represented purchaser of a for-profit college in litigation against the seller for beaching the purchase and sale agreement. Obtained summary judgment.
Commercial Litigation	Represented a developer in a class action brought by unit owners in a downtown Miami high-rise condominium.

Commercial Litigation	Represented minority shareholder of a franchisor in litigation against the majority shareholders for breach of fiduciary duty.
Commercial Litigation	Represented note purchaser in commercial foreclosure action, obtaining foreclosure judgment. Later secured a \$5 million judgment against the guarantors following trial in Miami-Dade Complex Business Court.
Commercial Litigation	Represented art purchaser in litigation against Art Basel art dealer asserting fraud claims.
Commercial Litigation	Represented Isle of Dreams, the owner of real property in Miami, Florida, in contentious state court foreclosure proceedings against Sunbeam Realty and Sunbeam Television (owned by Edmund Ansin) which include significant counterclaims.
Commercial Litigation	Represented the owner of commercial property on International Drive in Orlando, Florida in a commercial foreclosure action. Obtained a favorable workout that allowed our client to keep the property.
Commercial Litigation	Represented the owner of a retail shopping center in Pinecrest, Florida in a commercial foreclosure action. Negotiated a highly favorable settlement that allowed our client to keep the property.
Commercial Litigation	Represented Crown Linen, LLC in litigation with Miami-Dade County over water and sewer services.
Commercial Litigation	Representation the owner of commercial property in downtown Key West in multiple foreclosure actions and obtained a favorable workout that enabled the client to keep its properties.
Commercial Litigation	Represented 50% property owner in arbitration against co-owner for breaching operating agreement.
Commercial Litigation	Represented law firm in breach-of-contract dispute with former attorneys.
Commercial Litigation	Represented property owner in multimillion-dollar dispute with insurance company over damage to the property.

Commercial Litigation	Successfully defended various businesses against claims under the Fair Labor Standards Act and Americans With Disabilities Act.
Commercial Litigation	Retained by large litigation funding company to perform due diligence on potential funding cases.
Bankruptcy and Restructuring	Represented Lexi Development Company, Inc., the owner of the Lexi condominium mixed use development, in its Chapter 11 bankruptcy, in which the Debtor successfully eliminated default interest, avoiding foreclosure and preserving equity for the benefit of the Debtor's principals.