

Competition & Preparations to Compete

Career changes and business transitions often raise complex legal questions. Shartsis Frieese helps executives, founders and emerging companies prepare to compete lawfully and strategically.

Navigating Career Transitions and Competitive Boundaries

Our attorneys guide clients through the nuances of noncompete and confidentiality obligations, fiduciary duties and other restrictions that apply when moving between employers or launching new ventures.

Executive Transition and Negotiation Counseling

We represent corporate officers, executives and professionals in negotiating employment, compensation and separation agreements. Our attorneys understand the high-stakes nature of these transitions and balance strategic opportunity with legal compliance. We help clients protect their reputations, preserve relationships and structure terms that advance long-term career and financial goals.

Duties of Loyalty, Confidentiality and Fiduciary Compliance

Departing employees and business founders face significant risk if they misstep while preparing to compete. We provide tailored advice on compliance with duties of loyalty and confidentiality under both California and federal law. Our guidance includes risk assessments, communications strategy and best practices for managing confidential information before and after departure.

RELATED ATTORNEYS

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We also advise businesses on developing policies that protect trade secrets and prevent unfair competition by former employees, partners and contractors.

Startups and New Ventures

Entrepreneurs and early stage companies rely on us to help them navigate the transition from concept to competition. We counsel startup teams on how to avoid violating existing obligations, use proprietary information responsibly, and structure clean ownership of IP and business assets from day one.

Our experience spans industries including technology, manufacturing, financial services, medical devices and creative sectors where founders and key employees often carry valuable know-how from prior employment.

Dispute Resolution and Litigation

When disputes arise over alleged breach of duty, trade secret misappropriation or unfair competition, we move quickly to protect our clients' interests. Our attorneys have extensive experience resolving these matters through negotiation, mediation and litigation, including under the California's Business & Professions Code §17200.

We focus on practical outcomes and have a long track record of securing favorable settlements or injunctions that protect client rights while minimizing business disruption.

Experience

- Advised technology company co-founders on lawful preparations to form a competing business, addressing noncompete and nonsolicitation obligations, confidentiality, and steps to avoid unfair competition claims.
- Counseled U.S.-based consumer products manufacturer on drafting and enforcing restrictive covenants in employment, contractor, supplier and design-firm agreements to protect proprietary interests.
- Prepared confidentiality and invention assignment agreements for a technology company to prevent trade-secret theft and strengthen IP protection.
- Advised engineering and manufacturing company on hiring

employees from competitors under restrictive covenants and developing compliant onboarding procedures.

- Represented startup founders in minimizing risk of restrictive covenant and trade-secret claims while ensuring fair competition with their former employer.