

# Preface

*Current through December 31, 2016*

Enforceable covenants not to compete offer obvious benefits to employers: They help to safeguard valuable customer relationships and confidential business information. Given the protections afforded by restrictive covenants, employers can be more confident that the critical information they impart to their employees, and the crucial customer contacts they develop, will not later be used against them in a competitive endeavor. Although the benefits to employees and their potential new employers are less clear, this book is a valuable aid to attorneys for all three classes—employers, employees, and prospective employers of individuals bound by covenants not to compete—because it charts the limits of enforceability of restrictive covenants.

This treatise is designed to satisfy attorneys' needs in the drafting, counseling, and litigation contexts. As a drafting tool, it provides detailed guidance on—and examples of—the statutory and common law limits of covenant enforceability, issues of consideration, and judicial modification of overbroad covenants. It is designed to answer a multitude specific questions regarding covenant enforceability in each jurisdiction. Employing a question-and-answer format and including occupation-searchable indexes, it provides a quick assessment of the law in each jurisdiction and, thus, a source of immediate answers to client questions in the counselling context. By using this book, corporate counsel and private practitioners alike can answer clients' questions within minutes, and at a fraction of the cost that otherwise might have been incurred.

In the back matter of this book, the table of cases and the six indexes help the researcher to determine which occupations, professions, industries, and transactions have been addressed by the covenant case law of each jurisdiction. These resources enable practitioners and drafters to quickly and accurately determine the status of the law on an ever-expanding number of critical issues governing the enforceability of postemployment covenants not to compete in the occupation of particular concern to them.

A work of this scope is necessarily the fruit of joint efforts by many talented individuals, and particular mention must be made of four individuals—managing editor Steffan C. Welch, contributing editor Zain S. Khokhar, typesetter Adil Altaf, and finding list editor Nabeel Altaf—whose extraordinary efforts have assured a thorough, timely, and greatly expanded treatment of the law of covenants not to compete. Because of their generosity in sharing their technical expertise, and because of their untiring cooperation, it has been possible to make this title available at the earliest possible moment.

BRIAN M. MALSBERGER

September 18, 2017