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Covenants Not To Compete: A State-by-state Survey, 3 Volume Set



Synopsis

This respected and authoritative three-volume treatise delivers the information you need to analyze, draft, and litigate with confidence all covenants not to compete and other restrictive covenants in the employment, partnership, franchise, license, and sale-of-business contexts. The Seventh Edition of *Covenants Not to Compete: A State-by-State Survey* addresses questions of first impression interpreting new state statutes limiting the enforceability of covenants not to compete executed by employees in the broadcasting industries; contains expanded analysis of covenant-protectable interests in both actual and potential customer relationships; and has an increased focus on covenants in the health care profession. You'll find *Covenants Not to Compete* offers the latest information on critical subjects. Courts all across the United States resolved a number of questions of first impression that have a substantial and direct bearing on the enforceability of covenants not to compete in the nation today. Coverage of these questions includes: The assignability in Idaho of employee noncompetition covenants The insufficiency under Montana law of continued at-will employment as independent consideration The enforceability in South Carolina of restrictive covenants by successor employers This treatise also identifies and discusses issues with respect to which there are significant splits of authority across the states, including whether the mere leasing of property to a competitor violates the terms of a noncompete clause where the clause fails to include language specifically prohibiting such action. And at the ends of relevant chapters, it also addresses hundreds of additional make-or-break issues as specific Additional Topics, the most recently developed of which include: Context Characterization: Service Agreement Versus Employment Context Effect of Dissolution of Employer Grace Periods to Cure Breach Not Presumed Effect of Individual Capacity (Entering into Covenant in) Additional topics discussed for the first time in the Seventh Edition include the effect of abandonment of a particular line of business, as well as the effect of abandonment of customers. Also discussed for the first time are equitable restitution and conditions precedent to contract formation.

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