



Trade Secret IP Protection & Management USA

MARCH 15-16 2023,
SAN DIEGO



Minh Hoang Merchant
*General Counsel and
Corporate Secretary*



[VIEW
AGENDA](#)

Minh Hoang Merchant, is the General Counsel and Corporate Secretary of Aspira Women's Health Inc. (AWH), a company providing risk assessment screens for ovarian cancer. In addition to leading the Legal Department, I also lead the Regulatory/QA department.

Prior to joining Aspira, Minh was worked as the Associate General Counsel at Myriad Genetics and Counsyl (Acquired by Myriad) as well as the General Counsel at Genome Medical, a private Series C company focused on genomic and precision medicine. She has spent the entirety of her inhouse career in the healthcare space.

What is the most exciting area of Trade Secret IP Management you are currently working on?

Trade Secrets is such a critical part of every company's list of assets. They include our confidential, trade secret, and proprietary information. As a health care company, we have a very strong R&D / Innovation department, and we are developing tools and diagnostics that can really meaningfully impact women's health. For example, we just launched in early December 2022 a new product offering, called OvaWatch, which is an LDT (lab developed test) which helps assess risk for adnexal masses that are benign or indeterminate. It is a tool focused on early ovarian cancer detection, which is critical for health outcomes for women. The entire development, leading up to the launch, was a very closely guarded secret, which we took great efforts to ensure against disclosure.

We are also on track to developing an endometriosis diagnostics tool by the 2nd half of 2023. Because of the nature of the work that we do as a company, all of the development, R&D, and innovation around that endometriosis diagnostic, which we have branded as EndoCheck, we need to ensure that we keep a tight rein around our trade secrets and confidentiality to ensure our competitive edge.



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What have been the most notable Trade Secret case or trends in the past year?

The threat of cybersecurity continues to loom large – whether that’s in the form of ransomware, malware, or other types of cyber intrusions. Such a threat can seriously impact or even cripple an organization, holding its assets hostage. Staying on top of such cybersecurity threats both through organic and inorganic improvements is imperative. For example, companies should look at ensuring robust training so that employees can quickly identify and avoid phishing or unauthorized intrusions. As well, companies should invest in platforms and systems that help ensure that intrusions are challenging (e.g., two step authentication). Keeping systems and programs up to date with the latest patches and updates are critical to ensure against attacks. Look at your systems and make sure that you have the right security measures in place to guard against these types of threats.

Where should businesses be focusing their Trade Secret Protection & Management in light of these priorities?

Businesses should first identify is a protectable trade secret (versus what is patentable, etc). Next, companies should turn to enforcement of the confidentiality and protection of that trade secret, both through contracts/agreements with vendors, third party partners, employees, contractors, consultants, etc, and ensure that only the people who need to know those trade secrets know them and to keep that list as winnowed as possible. As well, companies should put safeguards in place to protect the confidential nature of those trade secrets (eg., limited access, lock and key either physically or electronically, and systems/platforms to ensure against intrusions).

Can you give us a brief overview of what you will be covering at the Trade Secret IP protection & management Europe? And why it is important to the audience?

I intend to focus my discussion on walking through Answer 4: identifying trade secrets and implementing safeguards to ensure confidentiality. And, what to do when there is a violation or conversion of that trade secret information – what are the remedies that can be sought?

What are you most excited about this upcoming event?

I can’t wait to meet colleagues in this space and to hear and share best practices.

If you'd like to hear more from Minh, you can join her at Trade Secret IP Protection & Management USA (San Diego | March 15-16). [Click here to find out more.](#)