The definition of "Territory" was omitted as unnecessary. The revised section makes clear the places included in the application of the section without the use of definitions.

The definition of "Interstate Commerce" was likewise omitted as unnecessary in view of definition of interstate commerce in section 10 of this title.

Changes of phraseology and arrangement were made, but without change of substance.

**AMENDMENTS**


1996—Pub. L. 104–294 substituted "fined not more than $1,000" in last par.

### CHAPTER 90—PROTECTION OF TRADE SECRETS

Sec. 1831. Economic espionage.

1832. Theft of trade secrets.

1833. Exceptions to prohibitions.

1834. Criminal forfeiture.

1835. Orders to preserve confidentiality.

1836. Civil proceedings.

1837. Applicability to conduct outside the United States.

1838. Construction with other laws.

1839. Definitions.

#### AMENDMENTS

2016—Pub. L. 114–153 substituted "fined not more than $1,000,000" for "not more than $500,000" in concluding provisions.

2016—Pub. L. 114–153 substituted "not more than the greater of $10,000,000 or 3 times the value of the stolen trade secret to the organization, including expenses for research and design and other costs of reproducing the trade secret that the organization has thereby avoided" for "not more than $10,000,000".

#### § 1831. Economic espionage

(a) Whoever, with intent to convert a trade secret, that is related to a product or service used in or intended for use in interstate or foreign commerce, to the economic benefit of anyone other than the owner thereof, and intending or knowing that the offense will, injure any owner of that trade secret, knowingly—

(1) steals, or without authorization appropriates, takes, carry away, or conceals, or by fraud, artifice, or deception obtains a trade secret;

(2) without authorization copies, duplicates, sketches, draws, photographs, downloads, uploads, alters, destroys, photocopies, replicates, transmits, delivers, sends, mails, communicates, or conveys such information;

(3) receives, buys, or possesses such information, knowing the same to have been stolen or appropriated, obtained, or converted without authorization;

(4) attempts to commit any offense described in paragraphs (1) through (3); or

(5) conspires with one or more other persons to commit any offense described in paragraphs (1) through (3), and one or more of such persons do any act to effect the object of the conspiracy,

shall, except as provided in subsection (b), be fined not more than $5,000,000 or imprisoned not more than 10 years, or both.

(b) Any organization that commits any offense described in subsection (a) shall be fined not more than the greater of $5,000,000 or 3 times the value of the stolen trade secret to the organization, including expenses for research and design and other costs of reproducing the trade secret that the organization has thereby avoided.

#### AMENDMENTS

2016—Subsec. (a). Pub. L. 114–153 substituted "the greater of $5,000,000 or 3 times the value of the stolen trade secret to the organization, including expenses for research and design and other costs of reproducing the trade secret that the organization has thereby avoided" for "$5,000,000".

2012—Subsec. (a). Pub. L. 112–236 substituted "a product or service used in or intended for use in" for "or included in a product that is produced for or placed in" in introductory provisions.

#### REPORT ON THEFT OF TRADE SECRETS OCCURRING ABROAD