

Perkins Coie Lawyers Secure New York Federal Court Win for ValveTech Inc. in NDA Breach Case Tied to Starliner Spacecraft

SAN DIEGO and NEW YORK (December 1, 2023)—Perkins Coie is pleased to announce that a team of firm lawyers secured a victory in the U.S. District Court for the Western District of New York for client ValveTech, Inc. against Aerojet Rocketdyne, Inc., an L3 Harris Technologies company, in a case involving the breach of two commercial nondisclosure agreements related to the Boeing Starliner CST-100 spacecraft.

Following a ten-day trial, a federal jury found that Aerojet Rocketdyne breached two nondisclosure agreements with ValveTech, and improperly retained, used and disclosed proprietary information for spacecraft thruster valve designs provided by ValveTech, for the Starliner spacecraft, in direct contravention of the explicit terms of both agreements.

ValveTech had filed this lawsuit in 2017, alleging that Aerojet Rocketdyne intentionally and improperly retained and used ValveTech's proprietary information in the development of Aerojet Rocketdyne's flight valve for the Service Module Propulsion system for the spacecraft. Specifically, ValveTech alleged that Aerojet Rocketdyne began surreptitiously pursuing its own internal design for a flight valve in parallel with ValveTech's contracted-for design in February 2017, improperly using ValveTech's proprietary information in aid of Aerojet Rocketdyne's own design, development, and qualification work.

Aerojet terminated its contract with ValveTech after obtaining all of its designs and test data. ValveTech supplies 14 other valve components to various vendors for the spacecraft, which is designed to carry humans and scientific research to and from low-Earth orbit, including the International Space Station.

In addition to the jury finding Aerojet Rocketdyne responsible for damages for breach of the non-disclosure agreements, the jury's verdict allows for further equitable relief that ValveTech and Perkins Coie will be pursuing through post-judgment motions.

The Perkins Coie team that successfully represented ValveTech included partner [Kevin Patariu](#), the co-chair of the firm's International Trade Commission litigation practice, partner [John Esterhay](#), partner [Miguel Bombach](#), and associate [Abigail Gardner](#).

The internationally recognized Intellectual Property practice at Perkins Coie consists of more than 275 lawyers and agents in the United States and Asia, over 80 percent of whom have degrees in science, technology, engineering, and math (STEM), including 60 with STEM master's degrees and 30 with Ph.Ds. Perkins Coie's IP lawyers provide innovative, holistic counsel at every stage of IP protection and development.

Perkins Coie is a leading international law firm that is known for providing high-value, strategic solutions and extraordinary client service on matters vital to our clients' success. With more than 1,200 lawyers in offices across the United States and Asia, we provide a full array of corporate, commercial litigation, intellectual property, and regulatory legal advice to a broad range of clients, including many of the world's most innovative

companies and industry leaders as well as public and not-for-profit organizations.

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