

## **University of Iowa Checklist for Withholding or Redacting Records Containing Trade Secret Information**

Upon receiving a public record request for records/contracts/bid documents containing trade secret information, the University may contact the vendor/trade secret owner to ask for verification of the facts listed below. If the vendor/trade secret owner can verify and attest under penalty of perjury to all of the following facts in a sworn affidavit AND upon examination of the vendor's claim the University determines it has reasonable grounds to conclude the items are trade secrets, then the University may withhold or redact the records without requiring the vendor/trade secret owner to file for injunctive relief in District Court in order to stop the disclosure of the records.

- The requested records **contain trade secret information** as defined by Iowa Code Chp. 550.2(4).
- The information contained in the records **derives independent economic value** from not being generally known to, and not being readily ascertainable by proper means by a person able to obtain economic value from its disclosure or use (i.e. disclosure could erode the trade secret owner's competitive advantage).
- The information contained in the records is the subject of **efforts to maintain its secrecy** (i.e. it is not shared publicly and significant measures are taken to protect it).
- The disclosure of the information would divulge confidential trade secrets that would cause **substantial and irreparable injury** to the trade secret owner.



specific injury/damage – For example: The documents include specific pricing information, including a margin schedule, and information regarding [COMPANY’S] pricing and program offerings to the [University department]. The disclosure of this pricing information would erode [COMPANY’S] competitive advantage.}

5. Disclosure of the documents would require the release of non-public confidential financial information of [COMPANY NAME], a private company.

6. I declare under penalty of perjury that the statements contained herein are true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
[FULL NAME]

Subscribed and sworn to before me by [Affiant’s Full Name] on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of ????????