



Heath J. Szymczak

Member

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Profile

Heath has extensive experience in protecting companies from trade secret theft, particularly from disgruntled and departing former employees.

Most often this involves theft of data in the form of pricing, customer lists and product information via use of mobile devices, USB flash drives, personal email and cloud storage platforms. Heath helped develop the innovative Bond Trade Secret Protection Audit which systematically reviews a company's agreements, policies and protocols, as well as their physical and electronic security measures. Doing so minimizes the risks of internal and external data theft, as well as improves a company's position to enforce its rights in the event that legal action is needed, including obtaining court-ordered emergency injunctive relief.

Heath serves as statewide chair of the New York State Bar Association's Business Torts and Employment Litigation Committee. He is also a frequent speaker and nationally published author on protection of trade secrets and reducing the costs of litigation. As contributing author, Heath helped write the American Bar's Association's book: "BUSINESS TORTS: A Practical Guide to Litigation."

Honors & Affiliations

- Listed in:
 - *Best Lawyers in America*®, Commercial Litigation, 2024
 - *New York Super Lawyers*®, Business Litigation, 2023
 - *Buffalo Business First*, Legal Elite of Western New York, 2016, 2018, 2020
- New York State Bar Association, Chair, Business Torts and Employment Litigation Committee of the Torts, Insurance and Compensation Law Section (TICL); Executive Committee, TICL Section; Executive Committee, Eighth Judicial District Leader, Commercial and Federal Litigation Section; Co-Chair, Section Membership Committee; Special Committee on Discovery and Case Management in Federal Litigation; Faster, Cheaper, Smarter Working Group
- Erie County Bar Association
- American Inns of Court
- Beta Gamma Sigma Business Honor Society
- Phi Alpha Delta Law Fraternity International
- Business Editor, *Buffalo Law Review*

Education

- University at Buffalo School of Law (J.D. 1998)
- Canisius College (M.B.A., *cum laude*, 1995)
- Canisius College (B.S., *summa cum laude*, 1994)

Bar/Court Admissions

- New York
- U.S. Supreme Court
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the Western District of New York
- U.S. Bankruptcy Court for the Western District of New York

Practices

- Cybersecurity and Data Privacy
- Litigation

- Recipient, 2010 Committee Chair of the Year, NYSBA TICL Section
- Recipient, Distinguished Service Award for Law-Related Education, NYSBA
- Recipient, "40 Under 40" Award, *Business First of Buffalo*
- Recipient, Commitment to Education Community Leader Award, City of Buffalo
- Recipient, Pathfinder's Award, *Business First of Buffalo*
- Recipient, Key of Hope Award, Habitat for Humanity of Buffalo
- Named, Among Our Best, Canisius College
- Named, Up and Coming Attorney, *The Daily Record*

Representative Presentations

- Moderator, Exploring the Ethical Implications of Social Media Use: Lessons to be Learned from the 2017 Updated NYSBA Social Media Ethics Guidelines, New York State Bar Association CLE, September 18, 2017
- Program Co-Chair and Speaker, Implications of the Defend Trade Secrets Act of 2016 and Practical Considerations for Guarding Against Internal Data Theft, NYSBA Torts Insurance and Compensation Law Section Annual Meeting, January 26, 2017

Representative Publications

- Quoted in "A hard look at restrictive covenants," *Buffalo Law Journal*, October 30, 2017
- Heath J. Szymczak and Bradley A. Hoppe, "A New York Litigator's Guide to the New Federal Trade Secret Law," *NYSBA NY Litigator*, Fall 2016
- Heath J. Szymczak and Bradley A. Hoppe, "Another Voice: Trade Secrets Act boosts Buffalo's business future," *The Buffalo News*, May 28, 2016
- Bradley A. Hoppe and Heath J. Szymczak, "Head in the Cloud: The Insider Threat to a Company's Trade Secrets," *New York Law Journal*, April 4, 2016
- "An Update on Pending Federal Trade Secret Legislation," Bond, Schoeneck & King PLLC's *IP & Technology Newsletter*, February 4, 2016
- "Business Torts: A Practical Guide to Litigation," Chapter 5, *First Chair Press*, 2014
- "Federal Trade Secret Legislation Moves Forward," *NYSBA Commercial and Federal Litigation Section Newsletter - Winter 2014*, Vol. 20, No. 3
- "Looming Changes in Trade Secret Protection," *Buffalo Law Journal*, August 16, 2014
- "Limit Costs, Delays in Business Litigation," *Buffalo Law Journal*, May 20, 2013
- "Standardizing Efficiencies in Business Litigation," *American Bar Association Business and Torts Litigation Journal*, April 23, 2013

Other Activities

- Buffalo Niagara Heritage Village, Board of Trustees
- Town of Clarence Historic Preservation Commission, Board Member
- Clarence Chamber of Commerce, Board Member
- Clarence Hollow Farmers' Market, Board Member

- Habitat for Humanity Buffalo, Board Member; Chair of Nominating and Governance Committee
- Mid-Day Club of Buffalo, Board of Directors
- Buffalo Alliance for Education, Vice-President, Board of Directors
- Canisius College Alumni Association, Board of Directors
- Canisius College Pre-Law Advisory Council, Board Member
- Bennett High School's Law Magnet Advisory Board
- Bennett High School Mock Trial Team, Attorney Coach
- University at Buffalo Law School Mentoring Program and Moot Court Judge
- American Heart Association Home Run Derby Organization Committee and Heart Walk Team Captain
- Leadership Buffalo, Class of 2007