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Astro-Med wins non-compete suit

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WEST WARWICK – A former Astro-Med worker and his current employer must pay more than \$1 million in damages for violating his non-compete agreement with the West Warwick high-tech manufacturer, a federal judge has ordered.

After a four-day trial last April, a jury found that the ex-employee, Kevin Plant, and his current employer, Nihon Kohden America, were liable for violating the agreement and willfully and maliciously misappropriating Astro-Med's trade secrets. The jury ordered that Plant and Nihon Kohden pay \$375,800 in compensatory damages to Astro-Med.

In a post-judgment order on July 25, U.S. District Court Judge Mary M. Lisi awarded Astro-Med an additional \$560,000 in punitive damages against Plant and Nihon Kohden, and said the two must also pay for the company's attorneys' fees and costs.

Astro-Med officials and attorneys hailed the judgment as a victory for non-compete clauses, which have become a major topic of debate in the technology community.

"Non-compete agreements are an effective and enforceable tool used by businesses to prevent unfair competition," said Stacey Nakasian, an attorney with the Providence law firm Duffy Sweeney & Scott, who tried the case on behalf of Astro-Med. She also noted that it's rare for a non-compete case to be litigated before a jury.

Lawyers for Plant and Nihon Kohden have not contacted Astro-Med's attorneys to say whether they will appeal the judgment, Nakasian told PBN.

Albert Ondis, chairman and CEO of Astro-Med, said in a statement: "Businesses often make substantial investments in their employees. It is important for companies like Astro-Med to be able to protect such investments with non-compete agreements, particularly where highly specialized training and knowledge are key components of the job."

Astro-Med Inc. (NASDAQ: ALOT) is a manufacturer of high-tech specialty printing systems, electronic medical instrumentation, and test and measurement instruments. For more information, go to www.astro-medinc.com.

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