

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

SIGMA-ALDRICH CORPORATION,)	No. ED100575
)	
Appellant,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	
)	Honorable Mary Elizabeth Ott
OMAR VIKIN,)	
)	
Respondent.)	FILED: October 14, 2014

Sigma-Aldrich Corp. ("Sigma") appeals from the trial court's judgment in a court-tried case, denying its request for injunctive relief and ruling that a non-compete provision in an agreement ("Agreement") between Sigma and the defendant-respondent, Omar Vikin ("Defendant"), was unenforceable with regard to Defendant's new position at Alfa Aesar ("Alfa"), a wholly owned subsidiary of the Johnson-Matthey Catalog Co. Inc.

AFFIRMED.

Division Four Holds: The lack of a geographic limitation in the Agreement between Sigma and Defendant renders the non-compete provision unenforceable without accompaniment by any specificity of limitation on the class with whom contact is limited. The global prohibition from working is an unlawful restraint on Defendant's right to compete. Moreover, Sigma did not establish that the information it sought to protect constituted a trade secret or protectable confidential information.

Opinion by: Roy L. Richter, J.
Patricia L. Cohen, P.J., and Robert M. Clayton III, J., concur.

Attorney for Appellant: Elizabeth C. Carver, Daniel M. O'Keefe, Travis R. Kearbey

Attorney for Respondent: Edward D. Robertson, Jr., David Zevan, Kevin Davidson

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