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ARKANSAS BUSINESS JOURNAL SPOTLIGHTS $222.7M TRADE SECRETS WIN

Media Mentions

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The *Arkansas Business Journal* recently featured Bartko Pavia LLP's major courtroom victory in the *Zest Labs v. Walmart* case, where a federal jury awarded Zest Labs $222.7 million in a trade secrets retrial against the retail giant.

This latest verdict more than doubles the original $115 million awarded in 2021. The jury found that Walmart intentionally misappropriated Zest's groundbreaking technology for predicting produce shelf-life. The $222.7 million award includes $72.7 million in compensatory damages and $150 million in punitive damages, markingone of the largest trade secret verdicts in Arkansas history.

Patrick M. Ryan, lead trial counsel and co-managing partner at Bartko Pavia, emphasized the difficulty of retrying a case where the evidence was largely constrained: *"There are no surprises, right? Especially in a case like this, where the judge is largely limiting you to the original evidence, it's hard to come up with something new that the defendant hasn't seen before."* He added that Walmart's "blame-the-victim" defense strategy ultimately backfired, contributing to the substantial punitive damages.

Zest hopes the judgment will enable it to return to the sector it once helped lead. *"The hope is that when Zest gets this money, they can find a way to re-inject themselves into this area of technology,"* Ryan said. *"But it's challenging because their core technology was made public by Walmart."*

Read the full Arkansas Business Journal article here

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