44. Is the information capable of being protected?

This chapter looks at the type of information that is capable of being protected by the action for breach of confidence. More specifically, it examines four limitations placed on the type of information that may be protected under the action: where the information is trivial, immoral, vague, or in the public domain. It also considers the notion of ‘relative secrecy’ around which the breach of confidence, along with encrypted information and the so-called ‘springboard’ doctrine.

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44. Is the information capable of being protected?

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