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NEWS CLIPS



The Maya-300, for urban travel, hits a top speed of 56 kph. PHOTO: ELECTROVAYA

Zero-emission travel

Toronto: Electrovaya Inc., a manufacturer of batteries for portable systems in Mississauga, Ont., has launched a zero-emission, low-speed electric vehicle.

The Maya-300, made for urban and neighbourhood use, will have an extended range of up to 193 kilometres on a single charge, at a top speed of either 40 or 56 kph.

It's powered by Electrovaya's lithium ion SuperPolymer battery technology with an integrated intelligent battery management system.

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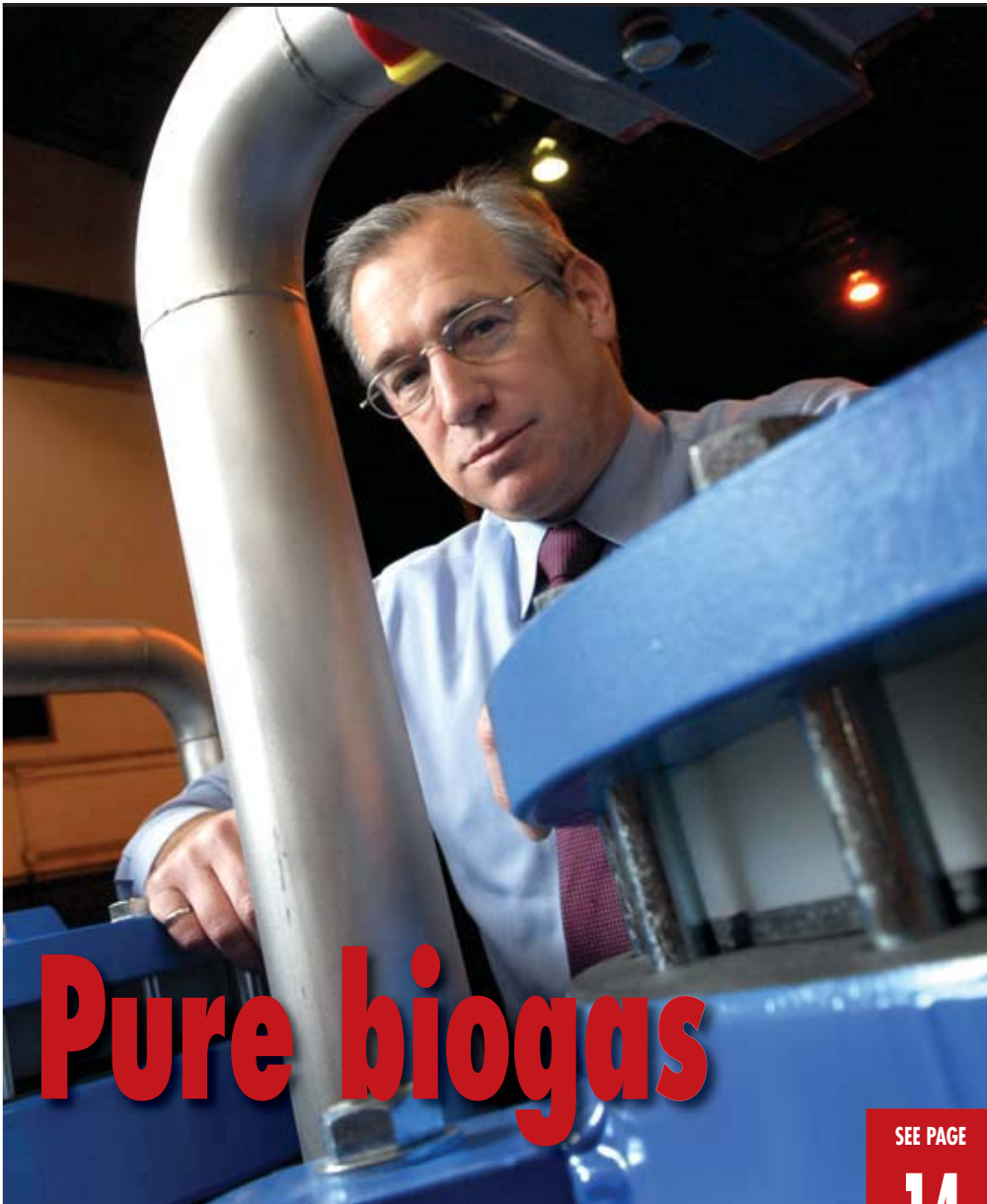
\$70M London plant

London, Ont.: A South Korean manufacturer is opening a facility in London, Ont., bringing at least 250 jobs to the region.

Hanwha L&C, which builds quartz countertops, will hire 150 workers by the summer of 2009. Another 100 jobs will be created a few years after the \$70-million plant's opening.

Mayor Anne Marie DeCicco-Best wouldn't confirm rumours that the Hanwha plant could attract a Hyundai auto-parts plant, but Hanwha L&C Canada president Daniel Yu said if an auto plant came to London, it would employ about 650 people.

Canadian Press



Pure biogas

Mike Dejak, president of Eco-Tec Inc., and his team have licensed a biogas purification system that's delivering cost savings, reduced greenhouse gas emissions and energy recovery to manufacturers and processors worldwide. Dubbed BgPur, the new systems are manufactured at the company's plant in Pickering, Ont.

PHOTO: STEPHEN UHRANEY

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Keeping confidential company information secure

It's imperative you know who you are conducting business with and you must be alert to attempts by competitors or foreign interests to obtain confidential business information.

The due diligence, especially in mergers and acquisitions, calls for a variety of investigative techniques ranging from determining a customer's financial status to assessing the desirability of acquisition targets. These techniques include public records searches, database research, single and multi-jurisdictional searches and could involve the covert or overt use of investigators.

Due diligence addresses undisclosed issues such as:

- Extensive litigation or bankruptcies
- Misrepresentation or character issues
- Unpaid tax liens or judgments
- Criminal records or associations



MINDING YOUR BUSINESS

BY MARK BORKOWSKI

- Credit or financial problems
- Fraudulent or exaggerated credentials
- Securities or other regulatory violations or disciplinary actions
- Business failures and related debt
- Poor reputation

But due diligence alone won't protect your business. North American firms lose billions of dollars a year from espionage. The primary target is information on products,

marketing strategies, lists of suppliers, sales data, customer names, personal information and security plans.

Sometimes your adversary works for a foreign nation or foreign-owned entity. An unscrupulous company will use sophisticated technology to acquire confidential information.

But often the culprit is much closer to home: a business associate you trust. Although security will reduce the likelihood of hacking and other electronic intrusions, competitors often acquire confidential information through employees.

Ralph Kroman, a partner at Toronto-based law firm of WeirFoulds, LLP, notes businesses exchange confidential information during negotiations. The usual practice is to have employees sign non-disclosure or confidentiality agreements. However, the fine print of these documents should be reviewed. Some agreements require confidential information, which is disclosed orally and must be confirmed in writing within a certain number of days. If it's not feasible to comply with this obligation, the agreement should be amended.

The more effort a company puts into treating information as confidential, the greater the protection courts will provide. Additional steps include:

- Create an inventory of confidential information and accessibility policies.
- Number hard copies of documents containing confidential information.
- Maintain of a logbook recording when confidential information is disclosed to employees.

Protecting information

One of the best ways to protect information is with a confidential stamp.

The stamp is more effective if it includes the name of the owner of the confidential information, states that copying is not permitted without the consent of the owner and confirms that the document and all copies are the sole property of the owner.

Kroman advises employees who have access to confidential information sign agreements that contain appropriate confidentiality clauses. The courts will enforce non-solicitation and non-competition clauses under appropriate circumstances.

Many companies have signed confidentiality agreements in their files but they overlook the importance of employee entrance and exit interviews.

During an entrance interview, each new employee should be reminded of his or her obligations regarding the company's confidential information.

A wise employer also tells newcomers not to disclose a former employer's confidential information. Recent legal cases have shown if an employer turns a blind eye to the disclosure of confidential information from a third party, the directors and officers may be liable.

Employees who leave the company should also undergo proper exit interviews. They will likely be more reluctant to let details slip if they know the former employer is serious about protecting its interests.

Mark Borkowski is president of Mercantile Mergers & Acquisitions Corp., which specializes in the sale of privately owned businesses. Contact him at mark@mercantilema.com.

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from
good to great

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