The mobility of knowledgeable employees is an important factor in innovation performance. The settings of the law (relating to trade secrets, unfair competition, contract and non-compete clauses) determine the ability of employees to move between firms or self-start with all their tacit knowledge or know-how, and the ability of employees to interfere with such knowledge transfers post-termination. The comparative study of the relevant areas of law is therefore significant as is the analysis of the impact differing legal settings may have on innovation performance in various jurisdictions.