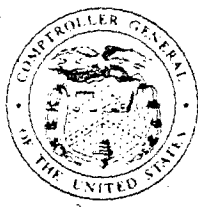


Proc II

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

10,646

FILE: B-194286.3

DATE: July 3, 1979

MATTER OF: Computer Science Corporation

CNG-01226

[Protest Alleging that Competitor Possesses Trade Secrets and Other Pricing Information Related to Procurement]

DIGEST:

Request that competitor be excluded from competition because protester's former employees possess trade secrets and other pricing information relating to this procurement, is essentially a dispute between private parties and is not for consideration under GAO Bid Protest Procedures.

Computer Sciences Corporation, INFONET Division *DAG-01114*
(CSC), filed a protest requesting that ADP Network Services, Inc. (ADP) be excluded from the competition for request for proposals (RFP) N66032-78-R-0009, issued by the Navy. *AGC-0000*
CSC alleges that ADP's participation in this procurement will impair the integrity of the procurement process because ADP induced CSC officials to work for it. The protester asserts that these officials possess trade secrets and other "information relating to CSC's bidding strategy and technical and price proposals [for this procurement.]" CSC has filed a civil action in the United States District Court for the District of Columbia, seeking, among other things, to enjoin ADP and the defendant employees from using this and other information acquired while in its employ.

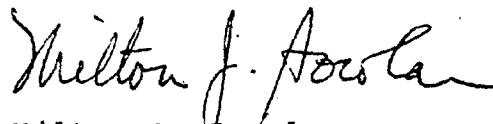
In an analogous situation, a protester objected to the use and disclosure of the protester's cost and pricing information by its former employees who had formed a new corporation. B. F. Goodrich Company, B-192602, January 10, 1979, 79-1 CPD 11. We concluded that the case involved a question of alleged improper business practices rather than one of bidders attempting to restrict competition under a Government procurement. As such, we declined to consider the matter.

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B-194286.3

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The same rationale is applicable here. We believe that this case involves a dispute between private parties concerning alleged unfair business practices. Therefore, it is not for consideration under our Bid Protest Procedures. Cf. Bingham Ltd., B-189306, October 4, 1977, 77-2 CPD 263.



Milton J. Socolar
General Counsel