



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Alden Films
File: B-233301
Date: November 1, 1988

DIGEST

The General Accounting Office will not consider an allegation that awardee will infringe on another's copyright as that is essentially a dispute between private parties.

DECISION

Alden Films protests the award of a contract to Commonwealth Atlantic Productions (CAP) under request for proposals (RFP) No. DAEA08-88-R-5020, issued by the Joint Visual Information Activity, United States Army Audiovisual Center, for a quantity of 1/2 inch videotapes entitled "One God."

We dismiss the protest.

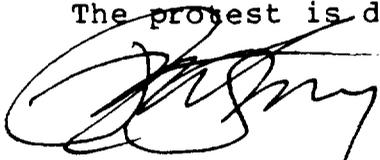
Alden states that it is the exclusive distributor of "One God" in the United States and distribution of the videotape by CAP would constitute an infringement of copyright law. Alden states that it would be illegal for the government to knowingly receive goods that do not come from a legitimate source. Alden asserts that the RFP was flawed by allowing others to compete on providing this product.

We will not consider an allegation of a breach of copyright laws because that is essentially a dispute between private parties which cannot be adjudicated by this Office. See NEFF Instrument Corp., B-216236, Dec. 11, 1984, 84-2 CPD ¶ 649; Morse Typewriter Co., Inc., B-212636.2, Sept. 27, 1983, 83-2 CPD ¶ 383. This matter is for resolution by the courts, See Gallegos Research Group, B-227037, May 8, 1987, 87-1 CPD ¶ 496, and this Office will not review the effect of such allegedly improper actions. NEFF Instrument Corp., supra.

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Alden's protest that the RFP is flawed is untimely as Alden did not file its protest prior to the closing date. 4 C.F.R. § 21.2(a)(1) (1988). In any event, the Army has informed Alden that if CAP cannot demonstrate that it is legally distributing the film the Army will terminate the contract.

The protest is dismissed.

A handwritten signature in black ink, appearing to read "R. Strong", written over the typed name below.

Robert M. Strong
Associate General Counsel