

## 15.608 Prohibitions.

(a) Government personnel *shall* not use any data, concept, idea, or other part of an *unsolicited proposal* as the basis, or part of the basis, for a *solicitation* or in negotiations with any other firm unless the *offeror* is notified of and agrees to the intended use. However, this prohibition does not preclude using any data, concept, or idea in the proposal that also is available from another source without restriction.

(b) Government personnel *shall* not disclose restrictively marked information (see [3.104](#) and [15.609](#)) included in an *unsolicited proposal*. The disclosure of such information concerning trade secrets, processes, operations, style of work, apparatus, and other matters, except as authorized by law, *may* result in criminal penalties under [18 U.S.C. 1905](#).

**Parent topic:** [Subpart 15.6 - Unsolicited Proposals](#)