

An offer you can't refuse?

Abstract

A marketing manager is offered inside information on a competitor's marketing plans by a disgruntled employee. However, the 'mole' expects something in return.

Key words

Industrial espionage, unfair competition, duty of confidentiality

The case

At the annual conference of a national professional marketing body, members have attended dinner, and they are now socialising and networking. One attendee, Sheila, is a regional marketing manager for a well-known coach company. Later in the evening, she finds herself in conversation with a participant who begins by saying 'let me bend your ear for a while'. The person is slightly drunk, and Sheila begins to move away, but the person takes hold of her arm and says 'Listen to me. You and I are competitors, but I think we could be on the same side'. Not wishing to make a fuss, Sheila stays. He then explains that he's disgusted with the way he has been treated, that he has been refused a merited promotion and that he is now 'at the beck and call' of this inexperienced manager who got the job and who doesn't know the first thing about the product or about marketing. Sheila listens, sympathises, and then indicates that she has to leave to meet some other people. But the participant says 'I've got something better to offer you. I have a copy of our marketing plan for the next financial year. Don't ask me how I got it. But I want you to read it. I'll leave it for you at Reception in a little while. Read it. Return it to Reception and I'll collect it in the morning. There will be no charge', he concluded, 'but if I do apply for a job with you remember where you obtained the information that will get you your promotion'. He winks, as he moves away; 'Don't forget, just pick it up at Reception and return it there'.

Discussion points

- What do you think Sheila should do? What would you do in similar circumstances?
- In general, what rules or guidelines would you apply to cases of this kind? How far is it possible to say 'All is fair in love and war and market competition'?

Tutor's notes

This case can be used to discuss when/if the end justifies the means. If Sheila were to read the marketing plan would she be under any kind of obligation to the person who gave it to her? Would you want to recruit someone who had been disloyal to their previous employer? The case can also be used for a general discussion on industrial espionage.