

CLIENT ALERT

In Texas, Exclusive Means Exclusive

June 20, 2013

In *X Techs., Inc. v. Marvin Test Sys., Inc.* (June 11, 2013), the Fifth Circuit affirmed that Marvin (Geotest) breached an "exclusive" teaming agreement with X Tech, a small business, by submitting a separate, ultimately successful competing bid teamed with another company when X Tech had committed in the agreement to bid Geotest as its subcontractor and Geotest had agreed not to "team up with any other company." This decision underscores the points made in our [recent blog](#) and [bullet point](#) that a teaming agreement will be enforceable when it is carefully drafted.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.