

Donald Wohlgemuth joined the B.F. Goodrich Company as a chemical engineer in 1954 following his graduation from the University of Michigan, and by 1962 he had become manager of the space suit division. As the repository of Goodrich know how and secret data in space suit technology he was a key man in rapidly developing technology of interest to several government agencies. Nevertheless, he was dissatisfied with his salary and the denial of his requests for certain additional facilities for his department.

A Goodrich rival, International Latex, had recently been awarded the major space suit contract for the Apollo program. Wohlgemuth negotiated a position with Latex at a substantial salary increase. In his new assignment he would be manager of engineering for industrial products, which included space suits. When he notified Goodrich of his decision Goodrich management raised protested that his resignation would result in transfer of Goodrich trade secrets to Latex. After Wohlgemuth left Goodrich the Company requested a restraining order in the Ohio courts. Goodrich asked the court to issue an injunction that would prevent Wohlgemuth from working in the space suit field for any other company, prevent his disclosure of any information on space suit technology to anyone, prevent his consulting or conferring with anyone on Goodrich trade secrets, and finally, prevent any future contact he might seek with Goodrich employees.

Was Goodrich ethically entitled to have the court grant the injunction it requested?  
If so, why? If not, why not?

ANSWER: The terms of the requested injunction were unreasonable. All were too wide in scope, and all would have protected much more than Goodrich's legitimate concern of safeguarding its trade secrets. In addition, the measures were speculative, since no clear danger to Goodrich's interest seemed imminent. The injunction would have placed an undue restraint on Wohlgemuth. The Ohio court which heard the case did not grant the injunction Goodrich requested, but instead issued another injunction ordering Wohlgemuth not to divulge any B.F. Goodrich trade secrets. A trade secret is information in which a business organization has a property interest, which is valuable, and which the organization treats in a way that significantly limits its disclosure.

Intercollegiate Ethics Bowl Case, 1994.

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