



BY FACSIMILE

August 22, 2006

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**Re: Solicitation Number 47131-074043/A
Computer Label Worldwide Co. Ltd. (File No. PR-2006-023)**

The Canadian International Trade Tribunal (the Tribunal) (Presiding Member; Zdenek Kvarda) has reviewed the complaint submitted on August 15, 2006, on behalf of Computer Label Worldwide Co. Ltd. (CLW) and has decided not to conduct an inquiry into this complaint.

Given that CLW is a company from Thailand and that Thailand is not a signatory to the North American Free Trade Agreement or the World Trade Organization's Agreement on Government Procurement, CLW is ineligible to file a complaint with respect to a procurement that is covered by either of those two agreements.

The *Agreement on Internal Trade (AIT)* is a domestic agreement between Canada's federal government and its provincial and territorial governments. To have standing under the *AIT*, a complainant must be a "Canadian supplier". Article 518 of the *AIT* defines "Canadian supplier" as a "supplier that has a place of business in Canada". The *AIT* also defines "place of business" as "an establishment where a supplier conducts activities on a permanent basis that is clearly identified by name and accessible during normal working hours".

The complaint clearly indicates that CLW was the bidder on this procurement and under whose name the complaint is filed. While LabelNet Inc. has indicated that it represents CLW in Canada, CLW does not, according to the complaint, conduct activities on a permanent basis where it is clearly identified by name and is accessible during normal working hours. The Tribunal finds that CLW is not a "Canadian supplier" as defined by the *AIT* and, therefore, does not have standing to complain under that agreement.

In light of the above, the Tribunal will not conduct an inquiry into this complaint and considers the matter closed.

Yours sincerely,

Susanne Grimes
Acting Secretary