DHEW R & D IN LIMBO

Mystery Surrounds Former Licensing Head

Norman Latker, up to December 13, 1978, had Norman Latker, up to December 13, 1978, had been working as a patent attorney for the U.S. Government for the entire 22 years of his professional career and for the last 10 years, at least, he was instrumental for licensing all patents and know-how of the Department of Health, Education & Welfare (DHEW) — the results of the many billions of dollars spent each year in the Institutes of Health and indirectly in the 70 odd institutions, e.g., Johns Hopkins University, California Institute of Technology, Northwestern University, etc., supported by grants from the various. sity, etc., supported by grants from the various agencies of the huge DHEW.

So successful was he in this last position that some 100 inventions were licensed to 70 companies in the U.S. and in such countries as Germany,

in the U.S. and in such countries as Germany. France, Japan, etc., whereas in the many years prior to 1968, nothing was ever licensed.

Because of his success he was made chairman of a U.S. Government inter-agency group, the "Ad Hoc Committee on University Patent Policy," to study licensing, resulting in other agencies such as Agriculture, National Bureau of Standards, etc., following the example set by DHEW.

The then President of the U.S.A., Gerald Ford, in fact sent him a very congratulatory letter dur-

in fact sent him a very congratulatory letter dur-ing his term of office which is reproduced here.

THE WHITE HOUSE

By, Setsy Anchory-behous has called to the important service which you connection with the Senate-Executiv tistions which led to the passage o Homeuclear Energy Research and Dave

t is a tribute to your skill and resourcefalness in the drafting of the Patant Folicy Section of his legislation that it was accepted almost unaniously, and without the alteration of a single word, y both houses of the Congress. You improved upon the original Sanate language so that I was able to light this measure into lew without fear or a bridging this measure into lew without fear or a bridging he research and development effort upon which our marry future depends. I compratulate you for this incompolishment.

h my schedule precluded the convening of a signing ceresony. I am pleased, nevertheless and the enclosed presidential pen which I was to present to you personally. Please accept tangible resinder of my appreciation.

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Mr. Morman J. Lather Chief, Patent Branch Mational Institutes of Se-Boom 5803, Mestwood Build Bathesda, Heryland 20016

It was with considerable surprise that we recently learned that Mr. Latker had been summarily dismissed, with no reasons being given in his nof dismissal letter — a copy of this is also red here. We talked to Mr. Latker and found

not clear as to the why and wherefore contacted the DHEW and finally an efficial spokesman — Mr. John Blamwho at first declined to discuss the reasons when challenged said that they could not give in to us, but "a response is being developed." It emed unusual. Either there were reasons, or not, or possibly they were seeking to find a nice way to say something otherwise unpalatable, to one or other of the parties involved.



Again, on our further insistence three rewere given which may or may not be complete. These were read by Mr. Blamphin from a detailed report he promised to send us - but which has not been received as of press time:

Mr. Latker used Government postage to send out releases to holders of Institutional Patent Agreements with the DHEW.

Mr. Latker advised a group of University grantees who are believed to be preparing a suit against DHEW.

against DHEW.

3. Mr. Latker was lobbying Congress, and such a position should not have been taken by a Government employee.

As to No. 1.— Dr. Dvorkovitz & Associates is on the mailing list referred to — along with about 70 U.S. University Administrators. We have been receiving such releases since 1968 and can see no difference in what we received at any time, unless that the second of the ference in what we received at any time — unless of course there was a basic change in policy recent-

ly that we did not know about.

As to No. 2 — The universities which include the most famous names in U.S. Education are as much part of America as, and in fact predate, DHEW. As far as we have been able to determine, they are not preparing a suit against DHEW but are only involved in trying to explain their position on a certain matter — "Peer Review" — which they feel would threaten the benefits so far obtained from the official DHEW Patent Policy that so far has been changed in a telephone conthat, so far, has been changed. In a telephone conthat, so lar, has been changed. In a telephone conversation where one of our reporters questioned Mr. Latker on this particular subject, Mr. Latker said, "I did nothing more than state the official DHEW policy on 'Peer Review' to the concerned and affected institutions who asked about the DHEW position. This is based on an official policy going back to DHEW then General Counsel, William Howard Taft, IV, on this question and which was never changed by the DHEW Counsel's Office

or any appropriate official of DHEW."

As to No. 3 — We understand from the office of Senator Robert Dole, who was the Congressional contact involved, that Mr. Norman Latker did nothing different from 1000 other DHEW employees and any such reason to dismiss Mr. Latker should involve the dismissal on the same day of the other 1000 DHEW executives.

We have just had access to Mr. Latker's personnel file and find that DHEW has now inserted an official reason for his dismissal. We quote the reason for his dismissal. son in its entirety: "Services no longer required,"
We are aware of Mr. Califano's crusade against

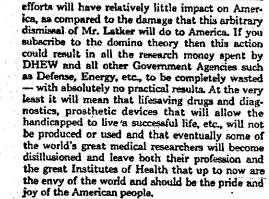
smoking, and whether or not he is successful in his

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J. Isther, Chief Branch as & Administrative

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We think this matter is of interest to any scientist or engineer working in a U.S. Government Institute or working on one of the many grants given to the Universities and Industries of America. Probably this accounts for over 60% of all the research done in the USA.

Today, we hear constantly about a drastic drop in inventions and innovations and committees are

formed daily, and editorials written daily, in an at-tempt to find the reason and to find a solution.

Actions like this taken by DHEW under Mr.
Califano's direction seem to us a sufficient cause for this drop in itself — inventions and innovations must be numed and not smothered or strangled by removing the incentive — the satisfaction an inventor always has to see his brainchild brought to fruition. Because of the importance of this subject we will continue our investigative re-ports and hope in the next issue of UNIT to give a more complete story. We would welcome any letters for, or against, and certainly, we would wel-come letters or phone calla from anyone knowing more facts about this matter.

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