

From: Norman Latker
To: Richard Latker
Date: 11/20/03 3:29PM
Subject: Re: Richard

Richard

The questions you asked are all reasonable given that you are new to the area. I can respond to all of them and support them with documentation including Califano's stupid attempt, with Kennedy's assistance ,to control the introduction of new technology. We need to devise the best means for transmitting the documentation you think you need.

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This is the best I can do without speaking to you further.

Dad

>>> "Richard Latker" <pristine@netvigator.com> 11/19/03 06:35PM >>>
Dad:

I've only been able to go through the text; the graphics weren't scanned properly and do not appear.

I understand roughly the political progression now. How innovators were frustrated by the existing system in the 1960s is pretty clear, too. What isn't clear is how opponents of Bayh-Dole thought the system should work, and some aspects of how the system did work before Bahy-Doke.

For example, it isn't clear what happens when the government holds "ownership" rights. The concept of government ownership is clear; how it manifested (or was supposed to manifest) is not. Were innovators from federally funded institutions supposed to get their inventions patented, and then ascribe these rights to the government somehow? Were royalty/licence agreements always hammered out in which the government was paid off? Or were such inventions expected to become public domain immediately, so everyone everywhere could utilise them? Use the Cohen-Beyer gene splicing patent as an example. Before the 1976 licensing agreement, what exactly was the status of this technology? Mssrs Cohen & Beyer had a patent, but were not permitted to market it without government permission? How can they have a patent, but not "own" the invention?

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Bayh-Dole refers only to Universities, correct? Then you mention the executive order, which extended the new regime to "all other recipients of federal funding." And these are? Why then was the Federal Technology Transfer Act required later?

More questions as they arise. Have your secretary send the scanned files as graphics, not text, so I can see the slides.

R---

----- Original Message -----

From: "Norman Latker" <NJL@browdyneimark.com>

To: <pristine@netvigator.com>

Sent: Tuesday, November 18, 2003 1:05 AM

Subject: Richard

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From: Zachary Vaughn
To: pristine@netvigator.com
Date: 11/20/03 2:19PM
Subject: Missing Slides from Document

Dear Richard:

Please find attached the three slides associated with the document that Mr. Latker sent to you the other day. They are encoded as TIFF images.

Sincerely,

Zach Vaughn

From: "Latker, Carole (NIH/NIGMS)" <LATKERC@nigms.nih.gov>
To: "njl@browdyneimark.com" <njl@browdyneimark.com>
Date: 11/14/03 1:31PM
Subject: FW: Stories

-----Original Message-----

From: Richard Latker [mailto:pristine2@hotmail.com]
Sent: Thursday, November 13, 2003 9:19 PM
To: Latker, Carole (NIH/NIGMS)
Subject: Stories

Dad:

There are some things that only you can tell:

* Why did you care in the slightest about how intellectual property was managed at federally funded institutions? Did Birch Bayh (he's dead I think)

approach you with the heartbreaking story about his wife? Was there some wonder drug stuck in the system someplace undeveloped and unmarketed? Basically, you have to give some compelling reasons why you gave a shit about the whole thing.

* Did you break the law (Hatch Act) in producing the legislation? If so, what compelled you to do so?

* What kind of political/social maneuvering took place during the political process, and how did it affect you?

* Did any erstwhile allies prove to be duplicitous scumbags?

* do you have any regrets on how Bayh-Dole has impacted trhe country?

R---

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<http://join.msn.com/?pgmarket=en-hk>