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Proposed National Patent Policy Aims to Bolster Industry-Campus Relations

By Anne C. Roark

WASHINGTON

President Carter has asked Congress to enact a liberal, government-wide patent policy for the inventions that result from federally financed research.

His call came in a nine-part plan to encourage innovation and bolster relations between universities and industry. The plan would take effect in fiscal 1981.

The President's plan, similar to one being considered in the Senate, would allow the government to retain the patent rights to federally financed inventions but would give inventors exclusive licenses to commercialize those inventions.

Dwindling Lead

Announced late last month at an unusual joint House-Senate hearing, the plan is based on the results of a "domestic policy review" which began in April, 1978, to identify actions the government might take to encourage technological innovation.

Besides the new patent policy, the President's "first steps" to maintain the "technological strength of the American economy" would include new university-based technology-research centers; increased support for university-industry cooperative research and development programs; and new legislation to foster the development of small innovative businesses.

Experts have been warning for years that, while the U. S. may be the world leader in production and innovation, its lead is dwindling.

The policy review, carried out by the



CHRONICLE PHOTOGRAPH BY JOHN C. PHILLIPS

Science Adviser Frank Press

Department of Commerce, was seen by many industry experts as a way to rekindle Yankee ingenuity.

While lawmakers said they supported the plan outlined by the Carter Administration, they admitted they were disappointed that the White House and the Department of Commerce had not recommended more.

Speaking to White House officials at last month's hearing, Sen. Adlai E. Stevenson, chairman of the Senate Subcommittee on Science, Technology, and Space, said the

proposals were a "small first step." He stressed the word *small*.

Nevertheless, the Administration's pledge to support a new patent policy was seen by many lawmakers as a positive effort to encourage innovation.

Since the 1790's, when U. S. patent laws were first drafted, inventors have argued that they should be given the exclusive rights to make, use, and sell their inventions for a limited time. Such a policy has been viewed as a proper incentive to encourage scientists and industry to spend time and money to develop inventions to the point where they are commercially useful.

Over 20 Patent Plans

With the government pouring more and more tax dollars into university research, the question of who should hold the patent rights became more complicated.

Ralph Nader and other consumer advocates contended that the government should retain ownership of the Washington-financed inventions and permit unrestricted public use. Universities pointed to the fact that fewer than 4 per cent of the government's patents are successfully licensed for further use.

In the absence of any national policy, over 20 different patent arrangements have come from the federal agencies that support research.

When they decided to reject the consumer advocates' patent plan, White House officials admitted it was "ironic" that giving the public the "free" right to

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House Bill Would Let Students Repay Loans with Military Service; 3-Pct. Rate Retained

WASHINGTON

The House of Representatives has voted to write off portions of student-loan debts in exchange for military service.

could write off 10 per cent—or up to \$500—of their student-loan debt.

The unsuccessful attempt to raise the interest rate for the National Direct Stu-

Buchanan, Republican of Alabama, which would cut back slightly the step-by-step increase in benefits authorized for the largest of the federal student-aid plans, the

Patents

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commercialize the inventions it has already paid for meant—in practical terms—that no one would ever benefit from them.

If no one profited from an invention, they said, no one would be willing to develop it. Increasing numbers of lawmakers appear to be coming around to that view.

Last week, for example, as the Senate Committee on the Judiciary was considering its patent-policy bill, S. 414, there was less opposition than usual to the establishment of a liberal, government-wide policy.

Introduced by a pair of unlikely allies—liberal Democrat Birch Bayh of Indiana and conservative Republican Robert J. Dole of Kansas—the Senate measure would allow small businesses, universities, and other non-profit organizations to obtain limited patent protection on discoveries made by employees working under government-financed grants and contracts.

Support from the President

A similar bill, HR 2414, has been introduced in the House of Representatives by the chairman of the House Committee on the Judiciary, Rep. Peter W. Rodino, Jr., Democrat of New Jersey. No action has been scheduled.

Besides supporting a liberal patent policy, President Carter also urged Congress to expand the existing industry-university cooperative research program in the National Science Foundation.

Speaking for the President, Frank Press, the White House science adviser, told lawmakers that the Ad-

ministration was eager to see the program grow to the point where it could support about \$150-million in projects each year and include the Departments of Energy and Defense, the National Aeronautics and Space Administration, and the Environmental Protection Agency.

In another effort to encourage cooperation between industry and academe, Mr. Carter proposed the establishment of a new center at the Department of Commerce's National Technical Information Service.

The center, which would cost \$1.2-million in fiscal 1981, would help improve "the flow of knowledge" from federal laboratories and research and development centers to outside industries. The information service itself would receive an additional \$2.4-million to interview people who travel overseas for foreign technical information.

Generic-Technology Centers

Also announced by the White House was a plan to establish non-profit "generic-technology centers" at universities and private research centers. The generic centers would focus on technological developments that are useful to a wide range of industries.

"Because the benefit from advances in generic technology to any one firm (or even one industrial sector) may be small, there is less investment in the development of generic technologies than would be justified by the benefits that flow from these activities," Mr. Press explained at the Capitol Hill hearings.

Under the Administration's plan, four centers would be established in fiscal 1981 at a cost to the government of between \$6-million and \$8-million. One would be sponsored by the National Science Foundation, the others by the Department of Commerce.

Washington Notes

Flood Resigns from House; Ethics Probe Goes On

Rep. Daniel J. Flood is resigning from Congress, effective Jan. 31. "His state of health would just not permit him to do his job," a lawyer for the Pennsylvania Democrat said.

Mr. Flood, former chairman of a powerful subcommittee handling appropriations for education, health, and welfare programs, has been hospitalized for various ailments since he was tried on influence-peddling charges earlier this year. His first trial ended in a hung jury; a retrial is scheduled to begin Dec. 8.

Despite Mr. Flood's resignation, the chairman of the House Ethics Committee said the panel would continue its investigation of the misconduct charges.

When Mr. Flood indicated a few weeks ago that his legal expenses had forced him into debt and he could not afford a lawyer to defend him before the ethics committee, the panel tried unsuccessfully to arrange free legal assistance for him.

Institute Faces Charges of Illegal Lobbying

The newly created Institute for Scientific and Technological Cooperation has been accused by independent investigators of illegally using government funds to lobby on its own behalf.

The accusations, presented to the Senate Committee on Appropriations, are now in the hands of the Department of Justice. Some observers believe the charges could be the death-blow for the institute, which was the centerpiece of the U. S. plans for the United Nations Confer-

ence on Science and Technological Development in Vienna last year.

Earlier this year the Senate defeated legislation authorizing the agency, on the grounds that the foreign-aid bureaucracy was unnecessary. Although the effort defeated in a House-Senate conference, Congress has not yet given approval of funds to the institute.

The House of Representatives earmarked nearly \$23 million for the purpose, but the Senate has not yet agreed.

Single Presidential Library Weighed in Congress

House and Senate committees weighing recommendations to Congress consider authorizing establishment of a central Presidential library.

Although the issue is not yet resolved, many experts believe that it might be more efficient to set up a single national Presidential document depository than having the materials scattered in individual libraries around the country.

Rear Adm. Rowland T. Smith, head of the General Services Administration, last week told a Senate subcommittee that the cost of the program for 1980 was \$16 million—16 per cent more than in 1979.

Admiral Freeman suggested that a central location a cluster of libraries with a common visitor center would be more efficient.

The subcommittees are now considering the libraries plan.

The National Institute for Career Development

announces "How To" Workshops

Career (Life) Advising for the 1980's

Problems Addressed:

Over 80% of the American population is dissatisfied with their job. American youth spends more time in the last twenty years.

Workshop Focus:

The workshop will focus on the strategies that will be needed to motivate students to explore themselves and more about their future. It will focus on the career development process, beginning with pre-enrollment advising, continuing with advising, curriculum (life) planning, and concluding with the post-graduation process.

The Workshop Leader:

Dr. [Name] will be the workshop leader.