

# Controversial Bill on Patent Policy Gains Support of Accounting Office

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WASHINGTON

The General Accounting Office has thrown its support behind a controversial bill to provide uniform patent protection for government-financed inventions.

The measure, S 414, was introduced in February by Senators Birch Bayh, Democrat of Indiana, and Robert J. Dole, Republican of Kansas. Their bill would allow small businesses, universities, and other non-profit organizations to obtain limited patent protection on discoveries made by employees working under government-financed contracts and grants.

Although many consumer advocates have argued that such discoveries ought to be the property of the government, Senators Dole and Bayh maintain that when the government retains patent rights on inventions, there is "a very great chance that they will never be developed."

Of the 30,000 patents that the government now holds, fewer than 4 per cent have ever received licenses, according to officials. Licensing is a procedure on which investors insist before they will put money behind inventions.

"We believe a clear legislative statement of uniform, government-wide patent policy is long overdue,"

said Elmer B. Staats, the U. S. Comptroller General, in testimony before Mr. Bayh's Subcommittee on the Constitution, part of the Senate Judiciary Committee.

Moreover, Mr. Staats said, even when federal agencies have tried to turn over patent rights to individual researchers or institutions, the delays in getting the rights transferred have been long and costly.

## No Uniform Policy

Although the federal government now supports an estimated two-thirds of all research in the United States, it has never established a uniform patent policy for the inventions that result.

Various agencies have different patent arrangements.

They range from exclusive agreements that give inventors and research institutions the first option on all new inventions to policies that almost automatically turn over inventions to anyone who wants to develop them.

In recent years, however, even agencies with liberal policies have begun to adopt more stringent ones, Mr. Staats said.

He said he hoped "an easing of the red tape leading to determinations of rights in inventions would bring

about an improvement of this record." Mr. Staats said he based his comments on a review of the current patent procedures at several selected agencies, including the Department of Health, Education, and Welfare, the National Science Foundation, the Department of Energy, and the Department of Defense.

Details of that review are scheduled to be released in June.

Although the Comptroller General said he viewed the Bayh-Dole measure as a solution to many problems, he had some reservations about the bill.

Under its provisions, the accounting office would be required to report each year to the Committee on the Judiciary on how well federal agencies were carrying out the act.

Mr. Staats said that would not be feasible unless his agency were given adequate funds to oversee the patent activities.

Senator Bayh indicated, however, that the bill could be modified to provide the funds the G.A.O. needed.

A measure similar to the Bayh-Dole 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.

—ANNE C. ROARK

## Higher-Education Bills in Congress

WASHINGTON

Following is a summary of bills of interest to higher education that have been introduced in Congress. Copies of bills may be obtained from Senators (Washington 20510) or Representatives (Washington 20515).

### SENATE

S 927—Smithsonian. To authorize the Smithsonian Institution to plan for the development of the area south of the original Smithsonian Institution Building. By Senator Jackson (D-Wash.) and two others.

S 1051—Taxes. To provide a federal income-tax credit for certain educational expenses. By Senator Roth (R-Del.).

S 1095—Taxes. To provide a federal income-tax credit for tuition. By Senator Packwood (R-Ore.) and three others.

S 1099—Health professions. To provide for increases in the amount of the monthly stipend paid to participants in the Armed Forces Health Professions scholarship program. By Senator Thurmond (R-S.C.).

S 1107—Wages. To encourage youth opportunity by extending the sub-minimum wage enjoyed by full-time students to all persons between the ages of 16 and 20. By Senator Stevenson (D-Ill.).

Education Act of 1965 to provide for a National Student Financial Assistance Data Bank. By Representative Biaggi (D-N.Y.).

HR 3529—Curriculum. To amend the General Education Provisions Act to prevent the use of federal controls over curriculum. By Representative Martin (R-N.C.).

HR 3537—Young people. To establish a Congressional award program for the purpose of recognizing excellence and leadership among young people. By Representative Natcher (D-Ky.).

HR 3769—Student loans. To amend the Higher Education Act of 1965 to provide for the

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