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DEPARTMENT OF HEALTH AND HUMAN SERVICES  
PUBLIC HEALTH SERVICE  
NATIONAL INSTITUTES OF HEALTH  
BETHESDA, MARYLAND 20205

February 21, 1981

Mr. Howard W. Bremer  
Patent Counsel  
Wisconsin Alumni Research Foundation  
P. O. Box 7365  
Madison, Wisconsin 53707

Dear Mr. Bremer:

I am writing to request your cooperation in helping us to obtain information of importance to the National Institutes of Health, as called for by Clause XI of the Institutional Patent Agreement which your institution has executed with the Department of Health and Human Services.

Clause XI is directed to the reports required to be filed, so that we can be informed of the development of the inventions left for your administration. It reads as follows:

XI. Reports on Development and Commercial Use

The Grantee shall provide a written annual report to the Department on or before December 31 of each year covering the preceding year, ending September 30, regarding the development and commercial use that is being made or intended to be made of all subject inventions left for administration by the Grantee. Such reports shall include information regarding development, the date of first commercial sale, gross sales by licensees, gross royalties received by the Grantee, and such other data and information as the Department may specify.

We would like a full report, to include all of those inventions which have been left for your administration under the terms of your Institutional Patent Agreement. Your report should include all of the data called for by the terms of Clause XI. For example, a listing for each invention showing the organization you have licensed, whether the license you issued was exclusive or nonexclusive, the royalty rate called for by the license, the gross royalties you received for each year the license was in effect, the gross sales by each licensee, and the development expenses expended by your licensee which you are aware of.

The cooperation of those who responded to my letter requesting comments and advice regarding the limitation on the royalty income institutions can pay to inventors was very much appreciated.

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May I ask for your assistance again at your earliest convenience in this matter. Kindly send your report to Dr. Leroy B. Randall, Chief, Patent Branch, Office of the General Counsel, Department of Health and Human Services, c/o National Institutes of Health, Westwood Building, Room 5A03, Bethesda, MD 20205.

Sincerely yours,



Charles U. Lowe, M.D.  
Chairman, Patents Board  
National Institutes of Health