

* BOSTON UNIVERSITY

881 Commonwealth Avenue, Boston, Massachusetts 02215

Vice President - Financial and Business Affairs

April 18, 1978

The Honorable Edward M. Kennedy
United States Senate
431 Russell Senate Building
Washington, D.C. 02510

Dear Senator Kennedy:

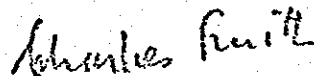
Universities and their affiliated hospitals are especially concerned about the future uncertainty of Institutional Patent Agreements (IPA's) which allow them to retain title to by-product inventions arising out of their basic research. Loss of these rights would not only stifle innovation derived from the university sector, but also serve as a deterrent to collaborative arrangements with industry.

While a title-in-the-government patent policy may be appropriate in some cases, the typical university invention is a by-product of such research and embryonic in nature, requiring substantial investment of private risk capital to bring it to the marketplace. Without the ability to grant appropriate rights to industry, universities would be unable to find companies willing to take the risks necessary to introduce new products.

In the interest of fostering technical innovation which translates into more jobs and an improved balance of trade, we urge you to favorably consider the co-sponsorship of a bill that would provide to universities, non-profits, and small business rights to inventions arising out of government-sponsored research. Passage of such a bill would remove the uncertainties and vagaries of the various government patent policies, especially as they impact upon the university sector and upon small business.

We are pleased to bring this matter before you, since we share your concern for the need to create more jobs. A title-in-the-university patent policy will allow universities to make a contribution toward that end.

Yours sincerely,



Charles W. Smith

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bc: Larry Gilbert ✓