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August 21, 1984

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The Honorable Robert Dole
141 Hart Senate Office Building
United States Senate
Washington, DC 20510

Dear Senator Dole:

I am writing on behalf of Intellectual Property Owners, Inc. concerning S. 2171, the "Uniform Patent Procedures Act of 1983."

IPO wishes to compliment you for sponsoring the original version of this important legislation. We agree with the witnesses who supported the bill during the hearing you conducted on March 27, 1984. IPO testified in favor of a similar bill that was approved recently by the House Committee on Science and Technology.

We are primarily interested in the provisions of S. 2171 which would extend to large business contractors patent rights like those Congress made available to nonprofit organizations and small businesses in Public Law 96-517. These provisions would create incentives for industry to participate in federally-funded R & D programs. We believe the provisions would bring into the bidding process many well-qualified, high technology companies who have been reluctant to participate in the past.

We are concerned because the large business provisions were omitted from the bill when it was approved by the Senate Judiciary Subcommittee on Patents, Copyrights and Trademarks on July 31, 1984. As we understand it, the bill approved by the Subcommittee merely refines existing laws relating to nonprofit organizations, small businesses, and government research laboratories. While we have no objection to these refinements, they do not contribute significantly to the bill's announced purpose of achieving uniformity in government patent policy.

We urge you to seek reinstatement of the provisions covering large business contractors when the bill comes before the full committee. If it is not possible to reinstate the large business provisions, we believe it would be better to defer the legislation until the 99th Congress, so that Congress can devote more time to a comprehensive review of all of the provisions originally in S. 2171.

We appreciate your support for measures that would encourage research and development in the United States.

Sincerely,



Donald W. Banner
President

DWB/111