



UNIVERSITY OF MINNESOTA
TWIN CITIES

Office of the Administrator

Patents
University-Sponsored Educational Materials
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January 4, 1979

Mr. Sheldon E. Steinbach
American Council on Education
One Dupont Circle, NW Suite 824
Washington, D.C. 20036

Dear Shelly:

It was good to talk to you again yesterday about problems of mutual concern. On the matter of Norman Latker's possible retention as consultant by the American Council on Education, it is impossible to be too strong in recommending that this step be taken at an early date... for about a six-month trial period. The Dole-Bayh bill may be the best and fairest piece of patent legislation for universities, the Government and the public, that we will see in our lifetimes. I say this because if it fails to get through, its opposition may force some very bad legislation on us that we might have to live with for a long time. The Dole-Bayh's passage is a must. Whatever it would cost to retain Norm for this period would be worth it for this project alone, considering the long-term benefits of the bill for your entire constituency.

I believe Mr. Latker could also be of considerable assistance in other ways to the affiliated educational organizations. A list of several tasks that he might address in our behalf is enclosed.

At the time we talked I expressed my concerns regarding the impact of recent IRS rulings on scientific journals and the effect such rulings could have on the ability of academic researchers to be able to publish their findings. Without going into the matter in detail, I am enclosing a reprint from the New York Times Service. We are putting together an assessment of the implications of such rulings for scholarly publishing and will provide you with a copy when it is complete. Our tentative conclusion at this time is that these dicta are a serious threat to well-

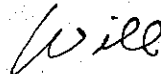
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established academic discourse and that there may be a basis for a cooperative effort by the educational community in concert with the professional organizations (e.g. AAAS and ACS) to reverse such rulings.

Best regards and hearty wishes for a happy and successful New Year.

Sincerely,



G. Willard Fornell
Patent Administrator

GWF:jcf

Enclosures

cc: Mr. Howard Bremer ✓
Mr. Neils Reimers

Duties that could be undertaken by Mr. Latker for the Associations around Dupont Circle.

1. Monitor and act as focal point during enactment of the Dole-Bayh bill to establish uniform Federal patent policy for nonprofit organizations and small businesses. Mr. Latker has acted as advisor to Sens. Dole and Bayh, at their request, during the development of the bill.
2. Presuming that the Dole-Bayh does not pass or is delayed in passage, Mr. Latker could monitor and/or prepare patent waiver requests made to Executive agencies for member universities. As former member of all interagency patent committees, Mr. Latker is acquainted with all the Patent Counsels in the Executive.
3. Act as Executive Secretary for COGR patent and copyright subcommittee.
4. To the extent Agencies are not performing uniformly under the present Federal Patent Procurement Regulations or an enacted Dole-Bayh bill, bring this to the attention of responsible Association officials for discussion with the Office of Procurement Policy or members of Congress.
5. To the extent oral arguments are necessary or desirable before waiver boards (such as NASA) could serve for member universities, if requested.
6. Analyze proposed legislation touching on intellectual property (patents, copyrights, trade secrets and trade or service marks).
7. Monitor data right questions.
8. Act as liaison between various patent associations concerned with university patent policy questions, i.e. SUPA, LES, NACUBO(COGR).
9. Monitor the effect of Freedom of Information Act and Federal Advisory Committee Act on intellectual property and propose any necessary legislative changes.
10. Aid, as requested, member universities on questions involving the licensing and disposition of intellectual property.
11. Function, from time to time, as spokesman on the importance of intellectual property in the technology transfer process between education and industry.
12. Coordinate, as appropriate, cooperative efforts by the educational community and professional organizations to keep open the channels for free scientific publication in professional journals.
13. Since Mr. Latker is both an attorney and an engineer, could serve as advisor on many other problems that involve science and law.