

May 22, 1979

263-2831

Mr. Niels J. Reimers  
Manager, Technology Licensing  
Stanford University  
Stanford, California 94305

Dear Niels:

Apropos the copies of the letters to Gene Bernard from Mike Blommer and Tom Arnold, it might be advisable to call to Gene's attention, as well as Tom Arnold's and Mike Blommer's, the language which Joe Keyes is suggesting for inclusion in the Dole-Bayh Bill and which I was tending to discourage in my recent letter to Joe. I mention this because protection of research hypotheses, protocols and designs is an integral part of the FOIA problem, as you are well aware, and because if Senator Dole is to be approached by LES or APLA relative to his intention to amend the FOIA, there would be good reason to include within the proposed amendment protection for the university scientists' "stock in trade." I see no reason for you not to send along to Gene, Tom Arnold and Mike Blommer a copy of my letter and Joe Keyes' suggestion. (Joe's language was based on the recommendation of the President's Biomedical Research Panel.) I did not want to do this directly since I wanted you to have a look at it first.

Two other things: (1) I am enclosing a copy of an article from last week's TIME magazine which tends to continue to leave me in doubt as to the ultimate position the Antitrust Division is going to take with regard to Dole-Bayh. On the other hand, it leaves little doubt in my mind as to the position any Agency head would take with regard to inventions made with Federal funds if the Schmitt Bill was passed. It also leaves little doubt in my mind that the Dole-Bayh limitation to universities, non-profits and small businesses is the only sound approach to this type of legislation in the present climate. The other part of the enclosed article on the IBM case is self-explanatory. (2) I note that you still have our old address. It is now P. O. Box 7365, Madison, Wisconsin 53707.

Best personal regards.

Very truly yours,

Howard W. Bremer  
Patent Counsel

HWB:rw  
Enc.