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FILE H. R. 2414

Date April 24, 1979

Telephone

Conference  with:

From

To

Copy for Reuben Lorenz

Pike-Woerpel-Hinkes

Re: Meeting with Congressman Kastenmeier,  
April 21, 1979

Mr. Reuben Lorenz, from the University of Wisconsin, and I, attended a meeting with Congressman Kastenmeier in his home office to discuss H. R. 2414, the counterpart in the House to the Dole-Bayh Bill entitled "Small Business Nonprofit Organization Patent Procedures Act."

Congressman Kastenmeier indicated that he had no fixed position either for or against the Bill and particularly had no objections to the application of its provisions where university and nonprofit organizations were concerned. We emphasized the need for small business to be a part of the Bill since they have to rely upon the patent system to a much greater extent than big business to insure them a potential place in the market.

Particular emphasis was placed upon the need to increase the transfer of technology to the public for its use and benefit and the fact that without the availability of patent protection and the capability of offering, or in the case of small business of retaining, exclusive rights through licensing, or ownership respectively, the incentive to develop was simply not available. We further emphasized that in circumstances where the Government took title the only real beneficiaries of U. S. developed technology generated in whole or in part with Government funds would tend to be foreign companies and countries pointing out with specificity the situation in the electronics industry. (Congressman Kastenmeier had just attended some hearings at San Jose, California, regarding the copyrightability of electronic chips so that it seemed that the argument regarding that industry where the Japanese in particular have taken a lion's share of the market based upon technology exported to them was appropos. )

It was indicated that hearings probably would be held on the Bill without any indication as to timing except for a broad reference to June and a query as to whether we would like to testify at such hearings.

There are no solid conclusions which can be taken from the meeting as to what position Congressman Kastenmeier will take with regard to the Bill. We did not sense any real desire to sponsor and push the Bill ahead in the House nor did we on the other hand detect any desire on his part to strongly oppose the legislation.



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Howard W. Bremer

HWB:rw