

April 3, 1979

263-2831

Mr. Norman J. Latker
Browdy & Ninemark
1329 E. Street, N. W.
Suite 1233 Munsey Bldg.
Washington, D. C. 20004

Dear Norm:

Enclosed you will find a copy of a letter which we received from Senator Nelson in response to our letter soliciting his support for S. 414. I would appreciate having your comments on his remarks in paragraph 2 of his letter and also your comments on the question that he raised in paragraph 3.

In regard to the background rights, I chatted with Joe Allen who indicated that that issue was a concern and that it may be that some restriction on the Government taking any background rights could be inserted into the Bill in a noncontroversial manner.

Dr. DeLuca is planning to testify on April 11 and I have suggested to him that he recommend some change which will result in the protection of research protocols, hypotheses or designs from disclosure prior to funding. I suggested that he utilize the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research and the President's Biomedical Research Panel reports, neither of which I find I have in my files, as support for such suggestion. There is little doubt that the conclusions of both of these groups included the recommendation for non-disclosure prior to funding.

Will you please let me have your comments sometime next week if possible. I will be out of town all week but would like to send Senator Nelson a reply the following week preparatory to the testimony which will be given on S. 414 after the April 11 hearings.

Best regards.

Very truly yours,

Howard W. Bremer
Patent Counsel

HWB:rw
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