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UNIVERSITY OF WISCONSIN-MADISON



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February 13, 1980

The Honorable Robert W. Kastenmeier
House of Representatives
2232 Rayburn House Office Building
Washington, D. C. 20515

Dear Bob:

We were pleased to learn that you have scheduled hearings on March 10 to consider H.R. 2414, the University and Small Business Patent Procedures Act. The thrust of that Bill is clearly endorsed by the President in his statement on industrial innovation initiatives. As you are aware, this Bill is the counterpart of S. 414 which has been co-sponsored by 34 Senators and was reported out favorably by the Committee on the Judiciary of the Senate without a dissenting vote.

We view H.R. 2414 as providing the universities with the certainty of ownership of inventions made with Government funds, which is so necessary to the expeditious transfer of the results of university research to the public for its use and benefit. That such certainty of ownership enhances technology transfer is evident from the information presented during the hearings Senator Nelson held relative to Institutional Patent Agreements between government agencies and universities.

We are aware that the Administration, through the offices of Mr. Jordan Baruch, Assistant Secretary of Science and Technology of the Department of Commerce, has presented a patent bill of broader scope than H.R. 2414--one which embraces all government contractors and not only non-profit organizations, including universities, and small businesses as does H.R. 2414. We had anticipated the adverse reaction which that proposed legislation generated during hearings before combined Senate committees on January 26. Based upon the experience of years of effort seeking legislative and executive understanding of the necessity for technology transfer incentives, we believe that a more comprehensive bill will not be politically acceptable. Additionally, we are very concerned that if the Administration continues in its efforts to present and advance such comprehensive legislation, one of the most valuable initiatives to innovation, as represented by H.R. 2414, may be buried in the delays which will likely result from any such comprehensive legislation.

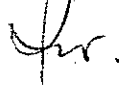
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The process of technology transfer is both complex and long-term; assistance for that process in the form of legislation is long overdue. It is our opinion that it is logical and timely to work toward passage of H.R. 2414 to supply innovative incentives where they are most sorely needed. The enhanced transfer of vital technology which will be experienced under such legislation will then become a strong recommendation for expansion of the provisions of H.R. 2414 to include all contractors with the Government.

We strongly urge you to lend your full support and co-sponsorship to H.R. 2414 as the first step in providing the immediately needed incentives to technology transfer and innovation. I would appreciate an opportunity to meet with you either in Madison or in your Washington office regarding this subject. I will contact your office for an appointment at a mutually convenient time.

With best personal regards.

Sincerely,



Irving Shain
Chancellor

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