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July 31, 1984

WB
am

Congressman Robert W. Kastenmeier
U. S. House of Representatives
2232 Rayburn House Office Bldg.
Washington, D.C. 20515

Dear Bob:

I am writing to express my concern about what I understand are features contained in HR 3605, a bill presently being considered by your subcommittee on Courts, Civil Liberties and the Administration of Justice.

I recognize that the proposed legislation is complex and concerns a number of areas of patent law. I am concerned about the provision which would deny extension of the time of coverage on many patents. While I recognize that this would be attractive to generic drug companies who might be able to offer prescription drugs through this process at what would presumably be lower costs to the public, I fear that such a provision may be a disincentive for drug research because of the concern about a substantial reduction in earnings from a reduced patent protection for those drugs. As you know, most research and many patents do not result in financial return. It is the possibility of substantial return on a minority of patents which makes the financial risk worthwhile and which promotes technology transfer.

I recognize that there are many other interested parties and issues involved in this legislation. I hope that the matter I have identified is carefully studied and receives sufficient scrutiny before these particular provisions are enacted into law. Thank you for your consideration of our concerns.

Sincerely,

Irving Shain

Irving Shain
Chancellor

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bxc: Howard Bremer ✓
Harry Peterson