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WISCONSIN ALUMNI RESEARCH FOUNDATION

POST OFFICE BOX 7365

MADISON, WIS. 53707

TELEPHONE (608) 263-2500

March 14, 1979

263-2831

The Honorable Toby Roth
House of Representatives
1008 Longworth House Office Building
Washington, D. C. 20515

Dear Mr. Roth:

It is our understanding that on February 26, 1979, Congressman Peter Rodino for himself and Congressmen Edwards and AuCoin introduced H. R. 2414 entitled "University and Small Business Patent Procedures Act." The primary thrust of this Bill is to provide to universities, non-profit organizations and small businesses the first option to ownership of inventions made in the performance of Government research and development grants and contracts.

We firmly believe that the terms and provisions of H. R. 2414 speak to a recognition of the equities of the parties in and to such inventions and to the current national needs to stimulate innovation. The ability of this legislation to accomplish these ends is amply supported by the experience which various universities have had under Institutional Patent Agreements with the Department of Health, Education, and Welfare and the National Science Foundation where the first option to ownership of inventions resides with the contractor/grantee. The impetus which such arrangements have provided for the transfer of technology to the public benefit are readily documentable.

In our view H. R. 2414 is a well balanced piece of legislation. Its provisions present a reasonable compromise between the need to provide incentives to commercialization in normal Government-supported research and development situations and the abilities of Agencies to fashion special provisions in unusual circumstances, while leaving with the Government sufficient power to remedy any abuse should it develop. Moreover, its passage will eliminate the need to administer approximately 22 different Agency patent policies.

The Honorable Toby Roth

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We might add that the views we have expressed above are apparently shared by many of your colleagues in the Senate where the companion Bill, S. 414, now has at least twenty co-sponsors.

We respectfully request and urge your strong support of this important piece of legislation.

The Wisconsin Alumni Research Foundation has functioned as the patent administrative arm of the University of Wisconsin for over 50 years and, therefore, has had substantial experience with the technology transfer process. Consequently, if we can be of help to you in your consideration of the provisions of H. R. 2414 we are at your service.

Very truly yours,

WISCONSIN ALUMNI RESEARCH FOUNDATION

By

John R. Pike, Managing Director

By

Howard W. Bremer, Patent Counsel

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