

March 21, 1979

The Honorable William Proxmire
United States Senate
5241 Dirken Office Building
Washington, D.C. 20510

Dear Senator Proxmire,

You will soon have an opportunity to cast your vote in the Congress for legislation which has been badly needed. I am referring to Senate Bill S. 414.

This bill which was introduced by Senator Bayh for himself and thirteen other Senators, and which now has over 20 co-sponsors, finally offers a resolution for the impediment which has interfered with the flow of technology from our nation's universities into the commercial sector. The failure to capitalize on the results of the basic research conducted at the universities would be a serious matter in any event, however, when one realizes that tax dollars have, through federal agencies, supported the bulk of that research, such failure becomes a tragic fact.

For 27 years I have been involved in technology transfer at the University of Wisconsin through my employment by the Wisconsin Alumni Research Foundation (WARF). During that time I have witnessed the beneficial effect which the patent system can have when it is used to provide incentive to U.S. industry to further develop and deliver new products. In this way, university research results truly benefit the public. WARF had made a record in the transfer of technology from the university to the public sector, but, during the 1950's and 1960's, as federal research support at the University of Wisconsin grew, the number of inventions for which WARF could become responsible diminished. It was only the institutional patent arrangements between DHEW, NSF and the University which reversed this trend. Grant monies from other of the federal agencies, however, still produce inventions which languish because of the uncertainty as to who may become responsible for them and under what terms. It is my understanding that S. 414 will clearly establish Congress' intent to remove these uncertainties. Based upon my experience, and as reinforced by the testimony and factual data developed during Senator Nelson's recent hearings on the GSA regulations pertaining to Institutional Patent Agreements, I can assure you that when all federal agencies grant first

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option to inventions to the universities where the invention was made, the results will be beneficial to our entire society.

If you have any reluctance to vote favorably, I would urge your reconsideration and offer my assistance to help you better understand the situation, if that will be helpful.

Very truly yours,

Marvin D. Woerpel
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Madison, WI 53711