

SOPA

December 21, 1977

Mr. Norman J. Latker  
Office of the General Counsel  
Department of Health, Education and Welfare  
Washington, D.C. 20201

Dear Norm:

A thought has just hit me that may be important, if somebody hasn't already preempted. Patents are based on the concept that an inventor gets title to an invention in return for publication in the form of a patent. But if the government takes title there is a negative incentive for divulging and patenting an invention. There aren't enough competent spies in the world to find out how many inventions under government contracts have not been divulged and patented but have instead been treated as company secrets.

Could one get a handle on the extent to which this happens by a statistical analysis of the numbers of patents from r & d contracts where the government has title compared with those where it does not? As I said earlier, someone may have already tried this. If so, I never heard of it.

Sincerely,

RW:dp

Ray Woodrow

P.S. Jesse Lasken has just read me a long, long, harsh letter that he wants me to send to Senator Nelson but I have grave doubts.