

Mr. Gaylord L. Ellis  
Grants and Contracts Officer  
National Science Foundation  
Washington, D.C. 20550

Dear Mr. Ellis:

We appreciate your letter of September 13, 1982 making clear that the provisions of the Bayh-Dole Act, 35 U.S.C. #200 et seq. are available to the University of Wisconsin and apply to all grants and contracts made after July 1, 1981. At the same time, you notified us that the University's Institutional Patent Agreement (IPA) with the National Science Foundation (NSF) was being terminated, but that we would be allowed to utilize the provisions of the new law for those NSF contracts and grants awarded before July 1, 1981 if the University requested and the NSF approved such agreement.

Section 650.19 of the NSF policies and procedures governing patents states that "at the request of the awardee, the Intellectual Property Attorney, with the concurrence of the cognizant Program Manager and Grants or Contracts Officer, may also apply those provisions to inventions disclosed under awards which contain special patent clauses or were covered by an Institutional Patent Agreement with the Foundation". The University of Wisconsin requests that the NSF exercise this section by allowing the University to apply the provisions of the new law to contracts and grants awarded prior to July 1, 1981.

If there is additional information which would be helpful in making a favorable decision, please feel free to call on us.

Sincerely,

Reuben H. Lorenz  
Vice President and Trust Officer

RHL/csh

CC: Tom Hinkes  
Howard Bremer  
Marvin Woerpel