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December 15, 1983

Roger G. Ditzel
Director, Patents, Copyright
and Trademark Office
University of California
2490 Channing Way, Third Floor
Berkeley, California 94720

*rec'd
12/19/83*

Re: S. 2171, Uniform Patent Procedures
Act of 1983

Dear Roger:

It is understood that COGR may be asked to comment about the referenced subject.

The subject Bill not only would establish law about (1) "Patent Rights in Inventions Made With Federal Assistance by Other Than Small Business Firms or Non-profit Organizations" but would also (2) revise and redesignate the law about "Patent Rights in Inventions Made With Federal Assistance" (old chapter 38 of PL 96-517) and (3) repeal or amend various other laws not thought to be consistent with the new law.

Concerning (1) above, S.2171 would create a new chapter 19 of PL 96-517 with sections 212 through 217 dealing with PATENT RIGHTS IN INVENTIONS MADE WITH FEDERAL ASSISTANCE BY OTHER THAN SMALL BUSINESS FIRMS OR NON-PROFIT ORGANIZATIONS. It appears that this chapter would have an effect similar to that noted in President Reagan's memorandum of February 18, 1983, that established a new Government Patent Policy. That policy was implemented by temporary regulation (41 CFR Ch. 1) effective April 5, 1983 issued by General Services Administration. It should be noted that section 214 of this Bill would authorize the Secretary of Commerce to issue regulations and possible standard patent rights provisions for use under the Chapter. I believe we should support this new

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Roger G. Ditzel
December 15, 1983
Page 2

Chapter even though Colleges and Universities are not directly affected.

Concerning (2) above, the revisions to Chapter 18 of PL 96-517 (old Chapter 38) are expressed as changes numbered (1) through (14) under section 3(c) of the Bill. My analysis of the effect of those changes is attached. I believe that we should support all of these changes to Chapter 18.

Concerning (3) above, I do not wish to comment since I am not adequately informed about the effect of such proposed repeals and amendments.

Sincerely yours,



Theodore C. Wood

TCW/rr

cc: T.R. Rogers