

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Please return to:

Patent Branch, DHEW/OGC
c/o National Institutes of Health
Room 84-03, Westwood Building
Bethesda, Maryland 20014

AUG 05 1975

Mr. Howard P. Wile
Executive Director
Committee on Governmental Relations
National Association of College and
University Business Officers
1 Dupont Circle
Suite 510
Washington, D.C. 20036

PATENT BRANCH, OGC
DHEW

AUG 7 1975

Dear Mr. Wile:

Reference is made to your April 15, 1975 letter requesting that the invention reporting requirements contained in Department-funded fellowship and trainee awards be deleted.

In support of your request you maintain that:

1. These awards are established, in the main, to assist institutions in establishing, expanding or improving training opportunities for individuals interested in careers of concern to DHEW and not for the purpose of funding research.
2. The Internal Revenue Service has denied tax-exempt status to fellows on the basis of the inclusion of the invention reporting clause; and
3. Situations have arisen in which fellows attached to privately-sponsored research programs have collaborated in making inventions, thus complicating the disposition-of-rights problem between the Department and the sponsor of the privately-funded research.

I have reviewed this matter with our research programs, and agree on the basis you have presented plus the minimal number of invention reports evolving solely through the funding of fellowship and training awards that it would be in public interest to make the requested deletion.

Accordingly, I intend to exercise the discretion provided to me under Paragraph 8.5 - "Fellowships" of the Department Patent Regulations, copy attached, to delete invention reporting requirements from all

