SOCIETY OF UNIVERSITY PATENT ADMINISTRATORS

April 28, 1978

Mr. Howard W. Bremer
Patent Counsel
Wisconsin Alumni Research Foundation
614 North Walnut Street
Madison, WI 53705

Dear Howard:

This is an effort, with Howard Bremer's concurrence, to obtain whatever information is available to determine the effect of title-in-the-government or deferred-determination government patent policies on the level of private R & D funding at universities. Also, it will be extremely helpful to have evidence that the HEW and NSF Institutional Patent Agreements have had a positive effect on industrial support at your university. Please assist by responding to the following if possible:

1. Cite cases or instances in the past where private sponsors or potential private sponsors lost interest in funding a project because of government claim or potential claims to patents in related government-sponsored research. State the dollar volume you have so lost within the past five years. Provide any intangible evidence you may have that private sponsors have backed off where federal funds are involved.

2. Have there been cases where you had to negotiate specific terms with private sponsors because of patent clauses related to federal funding? If so, please describe.

3. Cite cases or instances in the past where an IPA "saved the day" in negotiating private funding for a project.

4. Give your opinions or impressions as to the overall effect of government title-in-inventions or deferred-determination policies on the interest of industry in supporting university research.

You are no doubt aware of 1976 NSF statistics which show that of $3.7 billion spent on R & D at universities, only $122 million came from industrial support ($2.5 billion from federal agencies and the rest from the states, foundations, etc.). It seems certain that an institutional patent agreement policy for all federal agencies is a necessary precondition to the expansion of this ridiculously low level of R & D support by private industry.

Your help with documentation and professional opinion will be extremely helpful in SUPA's efforts to achieve a government-wide IPA approach to inventions. Please let us hear from you by June 1 if at all possible.

Sincerely,

Bill

William O. Burke
Vice President
Eastern Region

WOB:ev