

CGR meeting
file



bc: Officers, Trustees and
Past Presidents
Mr. Michael Blommer

LICENSING EXECUTIVES SOCIETY, INC.

U.S.A. and Canada

A Member Society of The Licensing Executives Society International

P.O. BOX 1333, STAMFORD, CT. 06904

PRESIDENT

William Marshall Lee
Lee, Smith & Jager
150 South Wacker Drive, Suite 950
Chicago, Illinois 60606

PRESIDENT-ELECT

William S. Campbell
Consumers Glass Company Limited
703 Evans Avenue, Suite 301
Jobicoke, Ontario, Canada M9C 5A6

PAST PRESIDENT

William E. Riley, Jr.
Battelle Development Corporation
505 King Avenue
Columbus, Ohio 43201

V.P.—EASTERN REGION

Edmund G. Astolffi
American Can Company
American Lane
Greenwich, Connecticut 06830

V.P.—CENTRAL REGION

Robert E. Bayes
Shell Development Company
One Shell Plaza-P.O. Box 2463
Houston, Texas 77001

V.P.—WESTERN REGION

Gary E. Lande
Poms, Smith, Lande & Rose
1888 Century Park E.
Los Angeles, California 90067

V.P.—CANADA

Norris M. Eades
Kirby, Shapiro, Eades & Cohen
P.O. Box 2705, Station D
Ottawa, Ontario, Canada K1P 6H2

V.P.—INTERNATIONAL

Kenneth E. Payne
Finnegan, Henderson, Farabow,
Garrett & Dunner
1775 K Street, N.W.
Washington, D.C. 20006

SECRETARY

Larry W. Evans
The Standard Oil Company
Midland Building (928 TT)
Cleveland, Ohio 44115

TREASURER

Robert H. Johnson
Eltra Corporation
P.O. Box 931
Toledo, Ohio 43694

TRUSTEES

Cruzan Alexander
Minnesota Mining & Manufacturing Co.
P.O. Box 33427 — 3M Center
St. Paul, Minnesota 55133

Eugene L. Bernard
Bernard, Rothell & Brown
1700 K Street, N.W.
Washington, D.C. 20006

Don A. Hart

Sunkist Growers, Inc.
760 E. Sunkist Street
Ontario, California 91761

Corwin R. Horton

Crown Zellerbach Corporation
One Bush Street
San Francisco, California 94104

Samuel G. Layton, Jr.

Bell, Seltzer, Park & Gibson, P.A.
Post Office Drawer 34009
Charlotte, North Carolina 28234

Thomas M. Small

Julwider, Patton, Rieber, Lee & Utech
3435 Wilshire Blvd., Suite 2400
Los Angeles, California 90010

Vance A. Smith

Rexnord, Inc.
4701 W. Greenfield Avenue
Milwaukee, Wisconsin 53214

M.D. Woerpel

Wisc. Alumni Research Foundation
P.O. Box 7365
Madison, Wisconsin 53707

EDITOR OF LES NOUVELLES

Jack Stuart Ott
1225 Elbur Avenue
Cleveland, Ohio 44107

GENERAL COUNSEL

Richard G. Moser
Patterson, Belknap, Webb & Tyler
30 Rockefeller Plaza
New York, N.Y. 10112

MEMBERSHIP CHAIRMAN

Edwin A. Shalloway
Sherman & Shalloway
413 North Washington Street
Olde Towne
Alexandria, Virginia 22314

September 25, 1981

Mr. Bill McCluskey
Professional Staff Member
United States Senate
Committee on Commerce, Science,
and Transportation
Washington, D.C. 20510

Dear Mr. McCluskey:

Mr. Riley has referred your letter of September 14 to me as in-coming President of LES (USA and Canada).

As you know, our Society is a nonprofit, professional and educational organization comprised of members actively involved in the field of technology transfer. We are a business-oriented society of about 1800 members from industry, law firms, universities, research institutes and various government organizations. We have sister LES societies in many other countries throughout the world. It has been estimated that LES members are involved in over 85 percent of worldwide technology transfer.

A committee selected from our Board of Trustees has reviewed the Staff Working Draft of Senator Schmitt's patent policy bill ("Uniform Science and Technology Research and Development Utilization Act") which was enclosed with your September 14 letter. A detailed analysis of and commentary upon the bill was prepared by our review committee and is presented in the enclosure.

You had requested our comments on the concept of recoupment and an analysis of the specific language dealing with that subject in Congressman Ertel's patent policy bill. Unfortunately, at the time of our Board meeting last week we had not seen Congressman Ertel's bill and therefore cannot comment on its specific language.

Western Regional Meeting
February 25-27, 1982
Hotel del Coronado
Coronado, California

Central Regional Meeting
June 24-26, 1982
Westin Hotel
Toronto, Canada

Eastern Regional Meeting
April 8-9, 1982
Hyatt Regency Hotel
Crystal City, Virginia

EIGHTEENTH ANNUAL MEETING
October 12-15, 1982
Hyatt Regency Embarcadero
San Francisco, California

Mr. Bill McCluskey
Page Two
September 25, 1981

However, the LES Board did consider the general concept of recoupment at the meeting last week. In our judgment, recoupment is counter-productive and contrary to the national interest. For example, the primary purpose of a federal agency in funding research is to have the results of the research available to the government. Since the government receives a royalty-free, world-wide right to the results, it would appear that the government is receiving everything it has paid for. Furthermore, a contractor is often motivated to enter into government sponsored research by his expectation of commercializing the results, and any recoupment payment severely dilutes his interest in undertaking an R & D contract. Thus, inclusion of recoupment would result in many corporate research facilities being unwilling to make their expertise available to the government.

On behalf of LES (USA and Canada) I want to thank you for the opportunity to comment on the draft of this bill. I hope our comments are useful to you. Please let me know if we can be of any further assistance.

Very truly yours,



Wm. Marshall Lee
President

Enclosure