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PURDUE RESEARCH FOUNDATION

WEST LAFAYETTE, INDIANA 47907

December 19, 1978

OFFICE OF PATENT MANAGEMENT

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

Subject: Schmitt Bill 3627

Dear Howard:

Subject Bill is basically one of deferred determination and differs little from the policy now in effect for a number of agencies. It would be a step backwards in technology transfer since no provisions are made to accommodate current institutional patent agreements. Since the current federal patent program is unseccessful in technology transfer, the program proposed in subject legislation would obviously be less successful.

It is difficult to understand how any program layered with as much bureaucracy as subject Bill could facilitate technology transfer. For example, the Secretary of Commerce "shall establish and maintain a Federal technology utilization program;" each federal agency "shall develop and implement a technology utilization program;" the executive branch of the Government shall establish "a Federal Science and Technology Research and Development Utilization Review Board;" and each proposal for waiver (which would undoubtedly include most inventions under subject Act) would be referred to an Invention and Contributions Board. Before any waiver could be obtained, a statutory bar would prevent filing an application or the faculty member would have lost interest.

A key ingredient in the technology transfer is the inventor and his continued interest and contributions. Without title vested in the grantee or contractor immediately, the inventor loses interest and devotes his resources to other projects.

Copy to
The Contingent
1/4/79

Mr. H. W. Bremer

December 19, 1978

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No comments will be made on specific sections of the subject Bill since the entire approach is unsatisfactory. Hopefully, Senator Schmitt will abandon the proposed legislation and join Bayh and Dole.

Very truly yours,

A handwritten signature in cursive script that reads "R. L. Davis".

R. L. Davis, Patent Manager

RLD:akw

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XCC
H. Bremer
L. Horton

Senator Harrison Schmitt et al
May 31, 1979
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bcc: Officers of LES
Mr. Gene Bernard

P.S. to LES copy addressees:

I think it is very important to Senator Schmitt that LES add its endorsement of the new bill--a Dole/Bayh basic concept but not limited to Universities and small business. Is that a feasible item for the Detroit Trustees' meeting agenda?

TA

encl.