

★

DULIN, THIENPONT, POTTHAST & SNYDER, LTD.
ATTORNEYS AT LAW
SUITE 606
135 SOUTH LASALLE STREET
CHICAGO, ILLINOIS 60603

JACQUES M. DULIN
JAMES W. POTTHAST
RAY E. SNYDER
FRANK R. THIENPONT

(312) 263-3288

CABLE
LAWBYRINTH

August 22, 1978

Senator Robert Dole
Russell Senate Office Building
Washington, D. C. 20510

Dear Senator Dole:

Thank you for your letter of August 14, 1978 and the page from the Congressional Record dated Wednesday, August 9, 1978. I had already sent you a communication dated August 14, 1978 commending and supporting your position based on your news release. I am still amazed at the clarity with which you have analyzed the problem, and the logic of your proposed solution.

Patents generally are not of universal interest, and some of your colleagues, namely Nelson and Long, no doubt have made hay back home in haranguing on the governments' treatment of them. In fact, dealing with inventions is fairly intricate, and patents are a vital link for effecting the transfer of technology you refer to.

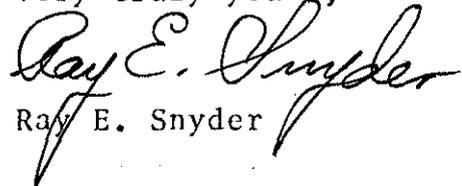
I believe that much of the furor and confusion expressed by some of your colleagues and members of the administration stem from a lack of understanding of just what a patent is and how it functions. There seems to be a real hang-up over the concept of granting anyone a monopoly, albeit a very restricted one. In truth it is not very much of a monopoly. The worst that can happen is that a competitor affected by another's patent may have to get off his duff and develop something as good or better in order to compete. In this sense, patents can be a strong force for stimulating competition. There may be a temporary howl, but any company still in the business of making buggy whips should upgrade its product line.

Senator Robert Dole
August 22, 1978
Page 2

As a final comment, I was particularly pleased with your reference to the position of the patent counsel for the DHEW. I have known Mr. Norm Latker for many years and am intimately aware of his stand on the handling of these matters--even to the point of jeopardizing his job. In my opinion, Mr. Latker has done more toward placing DHEW sponsored inventions into the hands of the public than any other individual and perhaps more than all of the rest of DHEW combined.

If I can be of further assistance in this matter, I am at your service.

Very truly yours,


Ray E. Snyder

RES:cs

bcc:Donald W. Banner, Esq.
Howard Bremmer, Esq. ✓
Mr. Paul R. Keenan
Dr. Martin Rachmeler
Norman J. Latker, Esq.