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URGENT

September 14, 1984

IPO ALERT

DOWN-TO-THE-WIRE EFFORT UNDER WAY TO PUSH THROUGH AD HOC COMMITTEE PATENT BILL BEFORE CONGRESS ADJOURNS ON OCTOBER 5; IPO MEMBERS SHOULD MAKE TELEPHONE AND PERSONAL CONTACTS.

IMMEDIATELY

Current Status

It is still possible that the Ad Hoc Committee patent bill can be squeezed through this year. The full Senate Judiciary Committee will act on the bill on Thursday morning September 20. In the House Judiciary Subcommittee, agreement was reached this week by staffs of Chairman Kastenmeier and ranking minority member Moorhead on the text of the bill. The House Subcommittee will report out the bill next week, assuming a quorum can be obtained.

In the Senate the bill number is S. 1535. In the House the original Ad Hoc Committee legislation (H. R. 4524 to 29) is being combined with the defensive patents bill and a few other miscellaneous measures into a new, unnumbered bill referred to by the staff as the "Patent Housekeeping Bill".

What You Should Do

Make telephone or personal contacts early next week with any member of the House or Senate with whom you or your company has any clout. Tell them this legislation is important to industry and you want it enacted this year. Try to get your CEO to go to bat.

At this point letters are a waste of time. The most important people to work on are members of the Kastenmeier subcommittee and the full Senate Judiciary Committee. See the enclosed sheet. But any member of Congress who is willing to really take up the cause will be a help.

Highlights Of The Bill

The House and Senate versions differ slightly, but the following are the main features:

- o Eliminates loopholes that encourage manufacture of patented inventions outside the United States.
- o --Prohibits importation of a product manufactured using a process patented in the U.S.

- --Prohibits supplying of components of an invention in the U.S. for final assembly abroad (overturns law of Deepsouth case).
- o Reduces burden of the requirement to obtain a license from the Patent and Trademark Office before filing a patent application abroad.
- o Modernizes law on sharing of unpublished information among the members a research team (overturns law of Bass case).
- Authorizes arbitration of issues arising in patent interferences.
- o Strengthens rights of patent owners during litigation with their licensees over patent validity (modifies law of Lear case).

Supporters

The bill is supported by the National Association of Manufactureres, the Chamber of Commerce, and several other major trade associations.

Supporters in the intellectual property field include Intellectual Property Owners, Inc., the American Intellectual Property Law Association, the Ad Hoc Committee to Improve the Patent Laws, the American Bar Association, and numerous state and local bar associations.

There is no known opposition from any members in the House. In the Senate; questions raised by Howard Metzenbaum (D-OH) appear to have been resolved. The biggest problem now is that numerous other bills will be competing for attention during the final three weeks.

* * *

Let's not let apathy defeat this important legislation

Sincerely,

Herbert C. Wamsley
Executive Director