GOLD MEDAL

Name: Norman J. Latker

Title: Director

Operating Unit: Office of Government Patent Policy

Location: Hoover Building 4816 Washington, D.C. 20230
(Complete address, including zip code)

Program Citation: In space below type (single-space) citation in NARRATIVE STYLE. Program citation should be substantive and meaningful sentences, clearly explaining the accomplishments and achievements for which the recipient is being awarded. Citation should be as long as, but no longer than space allotted.

Norman J. Latker has been among the foremost in increasing the new jobs, new industries, new products for consumers, and international competitiveness that can result from the approximately $40 billion Federal research and development budget. One of the first to recognize why older policies were not working, his efforts have led to a statute that clarifies the invention ownership rights of small businesses and nonprofit organizations, a Presidential memorandum that makes contractor ownership of inventions an Administration policy, additional proposed legislation under active consideration, and a major proposal for increasing the flow of inventions from the Federal laboratories. Behind these efforts are large amounts of vision, dedication, courage, leadership, and just plain hard work. First results are coming from the universities, where the number of inventions is increasing and more of them are being licensed for use by domestic firms. The long run benefits of Mr. Latker's work are beyond calculation.

Certificate Citation: Type, single-space. Citation for Gold Medal is limited to 170 characters. ("Characters" include letters, numbers, punctuation marks, and spaces).

TO NORMAN J. LATKER, FOR SHOWING HOW TO INCREASE THE USE OF NEW TECHNOLOGIES THAT RESULT FROM FEDERAL RESEARCH AND DEVELOPMENT TO CREATE NEW PRODUCTS, INDUSTRIES, AND JOBS.

FORM CD-242
(1-19-72)
PRESCR. BY
DAO 202-451

U.S. DEPARTMENT OF COMMERCE

RECOMMENDATION FOR MEDAL AWARD

[X] GOLD [ ] SILVER [ ] BRONZE

INSTRUCTIONS: Complete all items and submit original and six copies to Incentive Awards Program Officer.

Attach one copy of employee's Position Description and four copies of CD-223, "Citations for Medal Awards". One copy only of other attachments such as List of Publications or exhibits may be submitted.

1. NAME(S) *(Attach list for group if needed)*

Norman J. Latker

2. GRADE AND TITLE

GS-15
Director, Office of Government Patent Policy

3. OPERATING UNIT *(Bureau, Administration)*

Office of the Under Secretary for Economic Affairs

4. ORGANIZATIONAL SUBDIVISION *(Office, Division, Section, etc.)*

Office of Productivity, Technology & Innovation; Office of Government Patent Policy

5. GEOGRAPHICAL LOCATION *(Complete address, including zip code)*

U.S. Dept. of Commerce
Hoover Building, Room 4816
14th & Constitution Ave., NW
Washington, D.C. 20230

6. HOME ADDRESS *(Street, city, state and zip code) (Include on attached list for group)*

3515 Woodbine St.
Chevy Chase, MD 20815

HOME PHONE: 951-0375

7. CRITERIA REFERENCE *(State criterion or criteria on which recommendation is based; e.g., DAO 202-451, Sec. 5.02 (a, b, c, or d)*

a. a major contribution to science, technology or administration with national/int. scope

8. CURRENT PERFORMANCE RATING *(Attach copy of "Outstanding" rating justification, or explain why no outstanding rating was assigned)*

(See text for explanation)
First rating period not completed.

9. LENGTH OF SERVICE

IN DEPARTMENT	TOTAL FEDERAL
11 months	27 years

10. HONORS AND AWARDS RECEIVED *(Use additional sheet if necessary)*

Presidential citation, Small Business Administration citation, Letter from Secy. Baldrige, and Birch Award from the Society of University Patent Administrators

11. NARRATIVE JUSTIFICATION *(Clearly describe contribution in non-technical language, its impact on bureau or Departmental mission and/or impact outside the Department, and degree to which it exceeds normal expectations) (Continue on separate sheet if necessary. Attach no more than one additional sheet).*

Norman Latker was one of the first to recognize that the traditional policies of making the results of Government-funded research freely available to all, while appearing fair, was actually depriving the domestic economy and consumers of important new products and opportunities for creating new industries and jobs. He concluded that when possible, the patent system should be used to provide the protection that firms need to invest in new products and process development. Public Law 96-517, which he helped draft, gives small businesses and nonprofit organizations the right to own inventions they produce with Government R&D funding. It was written around ideas that Mr. Latker pioneered, and replaced 22 previously divergent statutes on invention ownership.

Working for the Office of Management and Budget, Mr. Latker largely developed OMB Circular A-124--the Government-wide implementing instructions for the new law. Early experience with the law and circular indicates they have substantially increased the number of inventions reported by universities. Some universities have developed management systems to evaluate the inventions, patent them, and license them for commercial use. The statute and circular also provided a key building block for the Small Business Innovation Research Program that is now being implemented by all agencies with major R&D budgets. Since the record of small business development of new products is particularly good, this too is expected to produce important economic advances.

NOMINATED BY	APPROVED BY	SIGNATURE *(Head of Operating Unit)*
SIGNATURE	SIGNATURE	
DATE	DATE	SIGNATURE *(Appropriate Secretarial Officer)*

USCOMM-DC 1240-P72

Narrative Justification (Continued)

Norman J. Latker

Mr. Latker's subsequent advice on extending the policy of private sector invention ownership to all classes or organizations (e.g. large businesses) receiving Government R&D funding is regularly sought by Congressional Committees. When it became clear that Administration supported legislation would not pass in the last session of Congress, he drafted and obtained a Presidential memorandum to the agencies that makes it Government policy to permit almost all R&D contractors to own their resulting inventions. When fully implemented, this policy will result in even more direct transfers of major new techonologies to the private sector to produce new products and jobs.

In addition, Mr. Latker and his staff have developed a proposal to enhance the prospects of commercializing the inventions that come from them into domestic industries, while foreign competitors use U.S. research results to compete in international markets. Most observers surveyed to date, agree that Mr. Latker's management proposals can substantially increase the domestic use of Federal inventions.

Mr. Latker's work supports the Departmental Goal to Stimulate Productivity, Economic Recovery, and Growth (Promote the development and application of science and technology in U.S. business and industry). He is responsible for the Secretarial Priority Objective: Increase the rate of private sector commercialization of inventions generated by Federal laboratories and by contractors working on Federally-funding projects.

He has not worked with the Department long enough to receive a performance rating or other award. When the rating period ends, he is expected to receive an outstanding performance rating.

POSITION DESCRIPTION *(Please Read Instructions on the Back)*

1. Agency Position No.: 1588701

2. Reason for Submission: ☐ Redescription ☐ Reestablishment ☐ New ☐ Other
Explanation *(Show any positions replaced)*

3. Service: ☐ Dept'l ☐ Field

4. Employing Office Location

5. Duty Station

6. CSC Certification No.

7. Fair Labor Standards Act: ☐ Exempt ☐ Nonexempt

8. Employment/Financial Stmt Required: ☐ Yes ☐ No

9. Subject to IA Action: ☐ Yes ☒ No

10. Position Status: ☒ Competitive ☐ Excepted *(Specify)*

11. Position is: ☐ Supvsry ☒ Managerial ☒ Neither

12. Sensitivity: ☐ Critical ☐ Noncritical ☐ Nonsensitive

13. Competitive Level Code

14. Agency Use: GM-5

15. Classified/Graded by	Official Title of Position	Pay Plan	Occupational Code	Grade	Initials	Date
a. Civil Service Commission						
b. Department, Agency, or Establishment	Director, Government Patent Policy Office	GM	301	15	[illegible]	7.1.82
c. Bureau						
d. Field Office						
e. Recommended by Supervisor or Initiating Office						

16. Organizational Title of Position *(if different from official title)*: U.S. Department of Commerce

17. Name of Employee *(if vacancy, specify)*

18. Department, Agency, or Establishment: Office of the Under Secretary for Economic Affairs

a. First Subdivision: Office of the Assistant Secretary for Productivity, Technology & Innovation

b. Second Subdivision

c. Third Subdivision

d. Fourth Subdivision

e. Fifth Subdivision

19. Employee Review. *This is an accurate description of the major duties and responsibilities of my position.*
Signature of Employee *(optional)*

20. Supervisory Certification. *I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out Government functions for which I am responsible. This certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.*

a. Typed Name and Title of Immediate Supervisor: D. Bruce Merrifield, Assistant Secretary for Productivity, Technology & Innovation (Designate)
Signature: [signature] OBM — Date: 6/23/82

b. Typed Name and Title of Higher-Level Supervisor or Manager *(optional)*
Signature — Date

21. Classification/Job Grading Certification. *I certify that this position has been classified/graded as required by Title 5, U. S. Code, in conformance with standards published by the Civil Service Commission or, if no published standards apply directly, consistently with the most applicable published standards.*

Typed Name and Title of Official Taking Action

Signature: [signature] — Date: 7.1.82

22. Standards Used in Classifying/Grading Position
GS-301
GS-343

Information for Employees. The standards, and information on their application, are available in the personnel office. The classification of the position may be reviewed and corrected by the agency or the Civil Service Commission. Information on classification/job grading appeals, and complaints on exemption from FLSA, is available from the personnel office or the Commission.

23. Position Review	Initials	Date	Initials	Date	Initials	Date	Initials	Date	Initials	Date
a. Employee *(optional)*										
b. Supervisor										
c. Classifier										

24. Remarks

25. Description of Major Duties and Responsibilities *(see attached)*

Introduction

The Office of Patent Policy assists the Executive Office of the President and affected Federal agencies in developing the statutory and administrative procedures necessary to establish and monitor a uniform patent policy, and undertake the management, oversight and evaluation of this policy to insure its effectiveness.

Duties

Incumbent is responsible for the management and supervision of the Government patent and technical data policy program in the Office of Productivity, Technology and Innovation. Incumbent reports to the Assistant Secretary for OPTI.

The incumbent will identify intellectual property problems that would affect the utilization of technology resulting from federally funded research and resolve such problems in drafting and presenting persuasive administrative, legislative, or regulatory positions on behalf of the Assistant Secretary.

Incumbent manages and supervises the following functions in performance of these duties:

1. The review and evaluation of the effectiveness of existing government policies on the commercial utilization of inventions made by government contractors, granteees and employees. The performance of major issues as assigned particularly with respect to government-wide implementation of Public Law 96-517, OMB Circular A-124 and Part 27 of the Federal Acquisition Regulations.

2. The development of systems for the collection and evaluation of information on government patent policies and practices to provide a basis for policy development and evaluation, and preparation of reports as required.

3. The compilation and analysis of data with particular attention to determining the utilizaton of government funded inventions.

4. The development of formats and procedures for the collection and use of information from contractors and grantees to monitor government-wide implementation of Public law 96-517, OMB Circular A-124 and Part 27 of the Federal Acquisition Regulations.

5. The coordination with agencies and OMB to achieve adequate collection of information with minimum reporting burdens.

6. The maintenance of close liaison with universities, small businesses, non-profit organizations, private industry, other agencies, professional associations, and committees of Congress on matters related to government patent policies. Pays particular attention to issues related to implementation of P.L. 96-517, OMB Circular A-124 and Part 27 of the Federal Acquisition Regulations.

7. The development of information and analysis in support of departmental participation on interagency or government-wide policymaking boards, commissions, task forces, advisory committees, professional organizations, etc.

8. The review of implementating actions by Federal agencies to assure compliance with Federal Patent Regulations.

9. OPTI leadership of interagency and public-private sector task teams as necessary to accomplish the above duties.

10. Special reviews, analysis, and projects on technology transfer, innovation, productivity or government patent policy as assigned by the Assistant Secretary of OPTI.

11. The contact with public and private patent licensing organizations that manage sizable invention portfolios for the purpose of keeping management alert to current licensing practices and important technologies.

Supervision Received

The incumbent is a recognized expert in the field of intellectual property and as such receives only administrative guidance from the Assistance Secretary for OPTI.

Critical Elements

The incumbent must have an in-depth knowledge of and experience in intellectual property policies (including but not limited to patents, technical data, copyrights, trademarks, and trade secrets) in all Federal research, development and procurement programs.

The incumbent must be licensed to practice law in a state or in the District of Columbia and admitted to practice before the U.S. Patent and Trademark Office.