AUTM® NEWSLETTER

Newsletter of the Association of University Technology Managers™
September 1997

CellPro's March-In Petition Fails

by Janna Tom, University of California

On March 3, 1997, CellPro, Incorporated filed a petition with the National Institutes of Health (NIH) to exercise "march-in rights" for certain patents developed under NIH funding, owned by The Johns Hopkins University (JHU), and exclusively licensed to Becton Dickinson and Baxter Healthcare Corporation. The patents cover stem cell selection technology that is valuable in bone marrow transplantation to restore the blood and immune systems of cancer patients after high-dose chemotherapy.

The Bayh-Dole Act (35 USC 202-212) which governs inventions developed under Federal funding authorizes the Federal government to require that the Federally-funded inventions be licensed to others under certain circumstances. One way to do that is through the exercise of "march-in" rights. NIH recently issued its determination in response to the CellPro petition to not "initiate proceedings to pursue march-in rights" under the Bayh-Dole Act as it was unwarranted under these circumstances.

The Technology

In the early 1980's, JHU researchers discovered a method of isolating and purifying stem cells that was further developed under NIH funding. JHU exclusively licensed its patents to Becton Dickinson which subsequently sublicensed therapeutic rights to the stem cell selection technology to Baxter Healthcare Corporation. Baxter offered sublicenses to three companies, Applied Immune Sciences, Systemix and CellPro. The first two companies accepted the sublicense with Baxter's royalty terms, but CellPro claimed the terms were unreasonable and did not take a sublicense.

While the JHU patents were pending, scientists at the Fred Hutchinson Cancer Research Center developed similar technology that was licensed to CellPro. CellPro commercialized a product, CEPRATE SC System, that received FDA approval in December 1996. Baxter's device, the Isolex 300 system, is currently undergoing clinical trials in pursuit of FDA approval.

In the early 1990's, there were several lawsuits surrounding the use of this technology: Becton, Baxter and JHU sued CellPro for patent infringement; and CellPro alleged that the JHU patents were invalid and not infringed by CellPro. In March 1997, a Federal jury determined that CellPro willfully infringed the JHU's patents awarding compensatory damages. That finding was followed by the Federal court ruling in July that CellPro must pay treble damages to the other parties. At the same time, the court also filed an injunction that allows the CellPro product to remain on the market and provides a phase-down period for the CellPro product when an alternative system licensed under the JHU patents receives regulatory approval.

The Petition

While the patent infringement suit was being decided in Federal court, CellPro petitioned the NIH to exercise "march-in rights" to prevent the CellPro products from being removed from the market. CellPro claimed that Baxter "has not taken, [and] is not expected to take within a reasonable time, effective steps to achieve practical application of" the Federally-funded, JHU patents and that removal of the CEPRATE products would deprive the public of the only stem cell separation product approved by the FDA. The petition sparked significant controversy and resulted in both NIH and the Secretary of Health and Human Services receiving letters supporting or opposing the CellPro petition from congressional representatives, patient advocacy groups, medical associations, universities and related associations, and the public. If you would like a copy of the letter sent on behalf of AUTM, please contact Penny Dalziel at AUTM Headquarters.

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The Determination

On August 1, 1997, NIH issued its determination denying CellPro's march-in petition. NIH determined that JHU and Baxter "have taken, or are expected to take within a reasonable time, effective steps to achieve practical application of the applicable patents, as demonstrated by [JHU's] licensing activities and Baxter's manufacture, practice, and operation of the Isolex 300, as well as the pending applications for FDA approval. NIH also finds that the available information fails to demonstrate an unmet health need that is not reasonably satisfied by [JHU] and Baxter." NIH will continue to monitor patient access to the CellPro and Baxter devices until a comparable alternative system is approved for use by the FDA.

More detailed information can be obtained from the following websites:
JHU: http://hopkins.med.jhu.edu/NewsMedia/newsmedi.html
CellPro: http://www.cellpro.com/news.htm
NIH: http://www.nih.gov/news/pr/aug97/nih-01.htm ◘

Regional Roundup

Western Region - Suzanne Quick, University of California

The 1997 Western Region Meeting took place on July 13-15 at Cavanaugh's, a new Seattle downtown hotel, and was a great success. The unifying theme of the meeting, "Getting Seeds to Sprout: Realizing Value from Innovation" gave rise to a broad range of thoughtful presentations and interesting discussion by a diverse group of more than 90 university and industry speakers and attendees. The weather was excellent, reportedly because the Seattle City Council had issued an edict two days before our arrival calling for the cessation of the seemingly unending flow of water from the heavens. This set the stage for the very pleasurable main social event, a cruise on Lake Washington. We had the entire boat to ourselves and it was a wonderful opportunity for networking and building AUTM camaraderie. A special word of thanks for all of this goes to Program Chair Catherine Hennings (Fred Hutchinson Cancer Research Center), and the other members of her committee, John DesRosier (U. of Washington), Ron Howell (Washington Research Foundation), Pat Jones (U. of Washington), Melinda Moree (U. of Washington), Arundeep Pradhan (U. of Utah), Sandy Shotwell (Oregon Health Sciences U.) and Mary Watanabe (Stanford U.).

With all of that said, this report would be incomplete without adding that the 1997 Western Regional meeting will likely be memorable to many because of replacement of the scheduled Sunday evening Keynote speaker, who was to have discussed petitioning the NIH to Exercise March-in Rights, with AUTM President Marv Guthrie. Marv explained that this action was influenced by several factors including both the prominent role that AUTM now plays in influencing national and international policy and government affairs and the difficulty in balancing the program given the litigation relating to this matter that was underway and the restrictions it imposed on the ability of those involved to respond publicly to questions at the time the meeting was held. Marv's comments led to heated discussion on such topics as evolution of AUTM as an organization and the appropriate role and authority of the AUTM Board as it relates to regional activities. Marv and I reviewed the input we received on these matters with other members of the Board at the June meeting and will continue this conversation at the October Board meeting. I'll report back to you on resulting actions in the December Newsletter.

Get Involved. In the meantime, please keep in mind that AUTM is making an all-out effort to have lots of members from each region actively participate in committee activities. Now is a great time to think about how you'd like to be involved. The list of Officers and Committee Chairs in the front of the Membership Directory gives a feel for the breadth of AUTM activities. Please be sure to let me know me if you'd like to be part of one of these groups or find out more about what they do. I'd also like to hear any questions or ideas you have regarding AUTM. Your input is extremely important in guiding AUTM through this period of rapid growth. I can be contacted by E-mail at suzanne.quick@ucop.edu or by phone at 510 748-6628.

Speaking of involvement, one person who will be very actively involved in Western Region activities this coming year is Rita Manak of the University of Arizona who has accepted the challenge of being Program Chair for the 1998 summer regional to be held in Tucson. Bernd Weinberg and John Perchorowicz of Research Corporation Technologies (RTC) have also joined the team and will oversee site selection and activities planning for the meeting. There will be more on how the meeting is taking shape in the December Newsletter.

Central Region, James Severson, University of Minnesota

The Central Regional Meeting entitled "Technology Transfer in the Virtual Age" was held from August 3 to 5 in Ann Arbor, Michigan. The meeting was very well attended and the program was well received. The meeting attracted 174 participants, which included 15 attendees from the Michigan State University project for Agricultural Biotechnology for Sustainable Productivity sponsored by the U.S. Agency for International Development. This group represented six countries, and helped bring an international atmosphere to the meeting. Consistent with the theme of the meeting, sessions addressed issues of management and ownership of software, software patenting, Internet policies for universities, and trademarks.

Sunday's plenary sessions proved to be a big hit. In the first session, Dr. Nicholas Stenech of the University of Michigan provided a very thought-provoking talk about the development

of the discipline of technology transfer, and he challenged the attendees to think about technology transfer as a profession. In the second session, a panel of faculty inventors from the University of Michigan provided their perspective on participation in the technology transfer process. It was agreed that it was very beneficial to have the perspective provided by those outside of technology transfer.

Of general interest to members, Anne DiSante of the University of Michigan and Fred Reinhart of Wayne State University presided over a session which discussed the development of a Uniform Interinstitutional Agreement. A great number of issues were discussed, and we are sure to hear more about the development of a template agreement.

As typical for any successful venture, this was a group effort. Thanks to the speakers and attendees for their enthusiasm. Accolades are due to Stewart Davis of BCM Technologies as program chair and to Anne DiSante of the University of Michigan for serving as the site chair. The success of this meeting serves as an inspiration as we begin to plan for the 1998 meeting in Minneapolis.

Canadian Region - Natalie Dakers, University of British Columbia

The Canadian Region will host its first Summer Regional Meeting in July 1988 in Banff, Alberta at the Banff Conference Centre. Contract negotiations have recently been finalized and come November 1997 of this year we will need to confirm our estimation of the numbers we expect for the meeting. It will be extremely helpful for people to book early, and imperative that they book by May 1998. I realize this is awfully early to be talking about this, however, because of the way the Banff Conference Centre must operate, it requires that those who want to attend, make plans to do so earlier than what is typical for other meetings. I will update you as we go along and there will be a preliminary flyer produced that gives an outline of the program to help you decide whether you want to come. We anticipate a very interesting and immediately useful program. We are in the process of finalizing the program and facilities committees. If anyone is interested in getting involved, please let me know as soon as possible via E-mail.

As you know, the VP Canada position is up for reelection this February. I have made a call for nominations and wish to remind you all that this is your chance to put forward the names of people you would like to see in this position. The slate for consideration will have to be finalized in the early Fall and therefore your thoughts are needed now. Please contact Teri Willey, Nominations Committee Chair, or myself. Please also give some consideration to people in our Region for other Board positions, including Committee Chairs. Those of you involved at the committee level may very well wish to get more involved by becoming a Committee Chair.

As the membership grows (we are now at approximately 133 members and steadily increasing), there becomes a greater need and opportunity to capitalize on the AUTM meetings to discuss more focused, specific issues facing the Canadian membership. At the last AGM, the concept of having a plenary session at the AGM to cover Canadian issues was raised. The question becomes one of frequency, especially given that Canada will have its first Regional meeting in 1998. I recently took a poll of the Canadian membership, using the Canadian List Server, asking people their preference of having an annual plenary session or whether we should schedule a plenary session during the "off year," meaning when we are not having a Regional Meeting in the same year. The consensus was to plan a plenary session on the "off year." We will continue to have a Canadian luncheon during the AGM as most people find this to be useful as well as enjoyable.

Statistics Canada (a Canadian Federal department) has commissioned "The Impact Group," a consulting group in Ottawa, to perform in part a feasibility study with the purpose of identifying useful indicators related to the commercialization of university intellectual property. This is only part of a much larger investigation of Canada reviewing its parameters for statistics gathering. We are delighted by this effort as it only brings the importance of University intellectual property and how it is managed at the universities further to the surface. As VP Canada, I have been asked to sit on an advisory committee, along with a number of other colleagues in Canada. We hope this will be a valuable exercise.

As mentioned before, I have been gathering information regarding the patent policies across Canada and have now summarized this information. As you may well of guessed, these policies are available in some institutions and not at others. We have gathered what we can and will be soliciting more information as we go along. However, of the material that we have summarized, we will be seeking the approval of the Vice President's of Research for the summarized form of the policy. I will be working on raising some money to hire a student (or otherwise) to get this material ready to put on the AUTM web-site. As always, projects take longer than originally expected, but I am optimistic that we will complete this project shortly.

As I recently mentioned on the Canadian List Server, I have taken a maternity leave from the UILO at UBC. I intend to continue my AUTM duties from my home, however, Bev Sheridan, President and CEO, University Technologies International Inc., has kindly agreed to assist me during the early part of my leave when it will be difficult for me to stay in touch on a regular basis. I will be available through E-mail at nat@uilo.ubc.ca, otherwise, please call Bev at 403-270-7027, or E-mail at sheridab@cadvision.com. ◘

[Editors note - Natalie delivered her baby, Isaac, on 8/26/97. Issac was 8lbs 7oz at birth and Natalie reports that he is beautiful, charming and has hair! Congrats to the whole family - including the animals.]

Are MTAs Getting You Down?

by Joyce Brinton, Harvard University

Here's a chance to bring your concerns to the attention of NIH. Jaconda Wagner of NIH's OTT recently put out a request on Techno-L for examples of the difficulties faced when attempting to transfer "research tools and materials either in or out." In follow up, COGR (Council on Governmental Relations) asked its member universities to respond and noted that both sponsored research and technology transfer offices handle these agreements.

If you are from a COGR institution, you might want to find out who is responding from your university and provide some input. If you aren't from a COGR institution and want to respond directly, write to: Jaconda Wagner, Esq., Technology Licensing Specialist, Office of Technology Transfer, NIH, 6011 Executive Blvd., Suite 325, Rockville, MD 20852.■

Is Your University Here?

by Ashley Stevens, Boston University

The Economic Impact Special Interest Group is trying to assemble the ultimate bibliography of economic impact studies of universities, teaching hospitals, research institutes, technology development centers and the like. The objective is to have a bibliography available for the SIG session at the 1998 Annual Meeting.

AUTM members have been extraordinarily helpful so far and we have identified or actually have in hand 44 studies from 21 states and two Canadian Provinces and more are coming in every day. However, this is not enough! There must be more. So, please review the list below and if you are aware of other studies either of your institution or of any others that aren't listed, please E-mail details (and preferably send a hard copy) to: Ashley Stevens, Office of Technology Transfer, Community Technology Fund, Boston University, 108 Bay State Road, Boston, MA 02215, Phone: (617) 353-4550, Fax: (617) 353-6141, E-mail: astevens@bu.edu

The concept is achieving completeness. Relatively few of these studies address technology transfer or the impact of an institution's research in any meaningful way. Most look at the spending impact of a university's academic operations. However, we want to make sure that we've not overlooked any studies that may provide useful insights into methodologies.

So here's what we currently know about:

Alabama

University of Alabama at Birmingham - *The Economic Impact of the University of Alabama at Birmingham on the Birmingham MA*

Arkansas

University of Arkansas - *The Economic Impacts of Higher Education in Arkansas*

California

California State University, Fullerton - *An Economic Impact Study*

University of California, Los Angeles - *UC Means Business, The Economic Impact of the University of California*

Stanford University - *Technology Based Companies Founded By Members of the Stanford University Community*

Florida

University of Florida - *The Economic Impact of the University of Florida on the State of Florida*

Illinois

Southern Illinois University School of Medicine - *Southern Illinois University School of Medicine Economic Impact Study*

Iowa

University of Iowa - *The Regional Economic Impact of The University of Iowa*

Kansas

Kansas State University - *Kansas State University 1995 Economic Impact Report*

Kansas Technology Enterprise Corporation - *Annual Report, Kansas Technology Enterprise Corporation*

Louisiana

University of New Orleans - *The Economic Impact of UNO, 1995*

Massachusetts

University of Massachusetts - *The Economic Impact of the University of Massachusetts*

University of Massachusetts at Amherst - *The Economic Impact of Umass Amherst*

University of Massachusetts, Boston - *UMass/Boston -- An Economic Impact Analysis*

MIT - MIT -- *Growing Businesses for the Future* (Bank of Boston, 1989)

MIT - MIT -- *The Impact of Innovation* (BankBoston, 1997)

MIT - *Pre-Production Investment and Jobs Induced by MIT Exclusive PatentLicenses: A Preliminary Model to Measure the Economic Impact of University Licensing*

AUTM Calendar

Association of University Technology Managers, Inc. *Version 9/1/97*

OCTOBER 1997	NOVEMBER 1997	DECEMBER 1997
18: AUTM Board of Trustees Meeting, Hyatt Regency, Washington, DC 19-22: Basic Licensing/TOOLS Courses, Hyatt Regency, Washington, DC	15: AUTM NEWSLETTER Articles Due	10-13: Advanced Topics in Licensing Course, Ritz-Carlton, Naples, Florida 14: Director's Forum, Ritz-Carlton, Naples, Florida 31: AUTM NEWSLETTER Published
JANUARY 1998	**FEBRUARY 1998**	**MARCH 1998**
	15: AUTM NEWSLETTER Articles Due 24: AUTM Board of Trustees Meeting, San Antonio, Texas 25-3/1 AUTM 1998 Annual Meeting, Hyatt Regency on the Riverwalk, San Antonio, Texas	31: AUTM NEWSLETTER Published
APRIL 1998	**MAY 1998**	**JUNE 1998**
15: 1997 AUTM Licensing Survey Forms Distributed	15: AUTM NEWSLETTER Articles Due 15: AUTM JOURNAL Articles Due	30: AUTM NEWSLETTER Published
JULY 1998	**AUGUST 1998**	**SEPTEMBER 1998**
15-18: Canada Region Meeting, Banff Centre, Banff, Canada 26-28: WesternRegion Meeting, Sheraton El Conquistador, Tucson, Arizona	2-4: Central Region Meeting, Marquette Hotel, Minneapolis, Minnesota	30: AUTM NEWSLETTER published

(continued on reverse ...)

AUTM 1997/1998 Calendar Detail

Version: 9/1/97 *Association of University Technology Managers, Inc.*

DATE	DESCRIPTION	CONTACT NAME AND NUMBER
10/19/97	Basic Licensing/TOOLS Courses ... full program and registration information has been mailed to all members and is also included on the AUTM web site.	Penny Dalziel Ph: 203-845-9015 Fx: 203-847-1304 autm@ix.netcom.com
11/15/97	AUTM Newsletter Articles Due ... submit to Todd Sherer, Oregon Health Sciences University, 3181 SW Sam Jackson Park Road, Portland, OR 97201-3098	Todd Sherer Ph: 503-494-8200 Fx: 503-494-4729 sherert@ohsu.edu
12/10/97	Advanced Topics in Licensing Course ... full program and registration information will be sent via broadcast fax to all members and will be included on the AUTM web site.	Penny Dalziel Ph: 203-845-9015 Fx: 203-847-1304 autm@ix.netcom.com
2/15/98	AUTM Newsletter Articles Due ... see 11/15/97 above	Todd Sherer Ph: 503-494-8200 Fx: 503-494-4729 sherert@ohsu.edu
2/25/98	1998 Annual Meeting ... full program and registration information will be mailed to all members on or about November 1 and full information will also be included on the web site.	Penny Dalziel Ph: 203-845-9015 Fx: 203-847-1304 autm@ix.netcom.com
5/15/98	AUTM Newsletter Articles Due ... see 11/15/97 above	Todd Sherer Ph: 503-494-8200 Fx: 503-494-4729 sherert@ohsu.edu

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Web Site: http://autm.rice.edu/autm

Minnesota
University of Minnesota - *An Unheralded Industry*
University of Minnesota - *Products of an Unheralded Industry*

Mississippi
Mississippi State University - *A Report on the Economic Impacts of Mississippi State University*

Montana
Montana State University, Bozeman - *An Economic Partnership* MSU - *Bozeman's Impact on Montana*

New Jersey
State University of New Jersey at Rutgers - *Return on the Investment -- The Economic Benefits of Rutgers University to the Citizens of New Jersey*

New York
New York Centers For Advanced Technology - *New York Centers For Advanced Technology Program: Evaluating Past Performance and Preparing for the Future.*

Center for Biotechnology at SUNY, Stony Brook - *Center for Biotechnology -- Financial Analysis*

SUNY Stony Brook - *The Economic Impact of Stony Brook University State University of New York*

SUNY Albany - *Interindustry Analysis of the Impact of Federal Support for Academic Science on the Economy of New York State*

Ohio
Carnegie Mellon - (Requested)

Edison Technology Center - *Economic Impact Study*

Ohio State University - *The Ohio State University -- An Investment in Ohio's Economic Recovery and Future Growth*

Ohio State University - *A Study of the Economic Impact of the Commercialization of OSU Technologies*

Pennsylvania
Franklin Technology Center of Western Pennsylvania - *Impact Report 1983-94*

University of Pennsylvania - *Induced Investments and Jobs Produced by Exclusive Patent Licenses -- a Confirmatory Study*

South Carolina
Medical University of South Carolina - *Value Returned-The Powerful Economic Contributions of the Medical University of South Carolina*

Texas
MD Anderson Cancer Center - *Economic Impact Study*

Utah
Center of Excellence Program, State of Utah - *Reports to the State Legislature 1993 and 1994*

Washington
University of Washington - *Economic Impact Study*

Washington Technology Center - *Economic Impact Report 1993-95*

Fred Hutchinson Cancer Research Center - *Economic Impact Study*

Wisconsin
Wisconsin Alumni Research Foundation - *Periodic Report : Feb. 1995*

Canada
The Role of Universities in the Economic Development of British Columbia

University of British Columbia - *The Economic Impact of the University of British Columbia*

University of British Columbia - *Report on the UBC Prototype Development Program, The First Six Years: 1989-1995*

University of British Columbia - *Economic and Social Impacts of University of British Columbia's Networks of Centers of Excellence Program*

The University of Manitoba - *Economic Contribution: University of Manitoba Impact Study* ■

AUTM Government Web Page Changes

by Lorrie Anthony, Syracuse University

For those interested in keeping up with federal legislation affecting technology transfer, the Government Relations Committee has revamped the AUTM Government Regulations and Legislation web site to make it easier to keep up-to-date on pending legislation. As before, all relevant legislation is listed, however, the articles have been categorized according to the primary area of impact: patents, copyrights, trademarks, and biotechnology. Other categories will be created as relevant legislation is introduced.

Another change has been the addition of the "Status" button for each bill, which allows one to click right into the Thomas' legislative information web site and its Bill Summary and Status page to review the status of the particular piece of legislation. With this change, the Government Relations Committee has decided not to publish a chart on legislative activity and bill status with future AUTM newsletters.

The address for the AUTM Government Regulations and Legislation web page is http://www.crpc.rice.edu/autm/-legislation.html. Comments and suggestions will be appreciated. They can be directed to Janna Tom at Janna.Tom@ucop.edu or Lorrie Anthony at lbanthon@summon.syr.edu.◘

1997 Basic Licensing and Tools Courses

by Connie Armentrout, University of Missouri System

The program should already be in your hands!!! The Basic Licensing and TOOLS Courses will be held October 19-22, 1997 at the Hyatt Regency Washington on Capitol Hill. Anne DiSante (Michigan) and I are looking forward to welcoming the registrants to participate in a very active program this year. Chris McKinney (Oak Ridge National Labs) and Elizabeth Hess (Harvard) have been working very hard to coordinate individual and joint sessions that will be of interest to the group. We have a variety of new topics and new speakers this year. The TOOLS sessions have been updated and revamped to provide an almost entirely new program.

The participants of both Courses will participate in sessions on "Intellectual Property Primer," "Introduction to Licensing," "University/Industry Relations," "Dealing with Faculty," and "Marketing." In addition, those attending the Basic Course will hear about "Triage," "Conflict of Interest," "Anatomy of a License," "License Negotiations," and "Valuation." Those attending the TOOLS Course will have specific sessions on "Government Regulations and Compliance," "Conflict of Interest," "Anatomy of a License," "Utilizing Databases for Administration of Technology Transfer," "License Agreement Compliance and Legal Expense Tracking," and "Royalty Distribution Process." The group will end with the "Licensing-the Bigger Picture" wrap-up.

The programs and registration materials should have been in your hands by September 1, 1997. Information should be available at the AUTM web site just prior to that date. MAKE YOUR PLANS NOW. Although there is no limit on course registration this year, the hotel room block will fill quickly. Anne, Chris, Liz, and I are looking forward to meeting, greeting, and working with this year's participants.◘

AUTM's First European Course

by Louis Berneman, University of Pennsylvania

AUTM's first European Course was held in Amsterdam, Holland 29-30 May 1997. The course was co-hosted by AUTM, Science Alliance, and the Erasmus University Rotterdam with 49 paid registrants and 13 guests participating.

Faculty/Topics

Marv Guthrie/Introduction, Charles Desforges/Overview and Strategies, Teri Willey/Impact of Technology Transfer in the US, Marv Guthrie and Karen Hersey/Intellectual Property Primer, Joyce Brinton/Industry - University Agreements, Kathleen Denis/The Evaluation Selection of Inventions, Teri Willey/Marketing, Louis Berneman/Making the Deal, Frank Landsberger/Licensing to Start-ups, Karen Hersey and Joyce Brinton/Identifying and Managing Conflicts of Interests

Under the leadership of Jon Sandelin, AUTM VP Membership, AUTM is considering appropriate means of activity on an international basis. This first European presentation gave us an opportunity to meet with our European counterparts. Our experience is of much interest to our foreign colleagues. We are committed to being responsive and responsible to their requests for assistance. We anticipate numerous future invitations for AUTM to organize and participate in professional development activities with our International colleagues. Please express your interest in participating in these activities to Kathleen Denis, Chair, Professional Development Advanced Courses Committee and Jon Sandelin.◘

Book Review

The Essential Corporation Handbook, by Carl R.J. Sniffen[1], Oasis Press[2], 1995 (paperback $19.95)

by Katerine L. Chapman, UT Southwestern Medical Center at Dallas

I found this book while surfing the Internet one day. I remembered my frustration at not knowing the precise definition of some words used by company executives, founders, venture capitalists, and even faculty members (who often do not know the precise definition!). This book caught my eye. Author, Carl Sniffen, intends to teach the reader *corporate formalities and mechanics*, and he does, in a clear, basic manner. But he also offers clear complete definitions of the sometimes complex corporate terms. It is not that these definitions could not be found elsewhere. They could; but, this is a handy, quick and well-organized reference.

Sections are entitled: *Sources of Authority*, discussing state

corporation laws, articles of incorporation and bylaws; *the Corporate Players* (my favorite section) defines the roles of various corporate roles and both corporate and personal liability; *the Paper Trail* explains all the *paper* involved in corporations, such as stock issuance classes and characteristics; the section on meetings focuses on the types of meetings that must be held according to law and how the formalities of calling the meetings, etc.; *Why You Should Care* really tells you why you need this book and what happens if you don't abide by the law. For instance, it explains what happens if record keeping is poor, capital is inadequate, resolutions are absent or corporate funds are mingled with personal funds. The last section, entitled *Related Concepts*, deals with various other types of corporations, such as, not-for-profit corporations and close corporations.

There are a number of features that, though fashionable, can nevertheless serve a useful purpose. There are margin notes, sample documents, checklists, forms, footnotes for further resources and a glossary.

The author notes that the book can only touch the *peaks* of the subject, but I think those peaks are enough to provide both quick and easily understandable information for the university technology manager as well as for an interested faculty member.◘

[1]Partner with the law firm of Foster, Purdy, Allan, Peterson and Dahlin in Medford, OR.
[2]300 North Valley Drive, Grants Pass, OR -- 541-479-9464

Mark Your Calendars Now for the 1997 AUTM Advanced Topics Meeting

by Kathleen Denis, Allegheny Health, Education and Research Foundation

The 1997 Advanced Topics in Licensing Meeting will be held December 11-14 at the beautiful Ritz-Carlton Resort in Naples Florida. This gorgeous resort, overlooking the Gulf of Mexico, should provide a terrific venue for this lively and informative program. An excellent team has been hard at work on the program with Sandy Shotwell serving as Program Chair. Sessions planned include "AUTM Strategic Planning and Legislative Efforts" led by our president, Marv Guthrie and "Hot Topics in Licensing" led by our past president Teri Willey. Other planned sessions include "Internal Development of Technology, Coordinating Technology Transfer Across the Campus, Equity Issues, Affiliated Venture Funds and When Deals Go Sour." **A new feature of the program will be the Sunday "Director's Forum." This post meeting add-on session will be geared to the number one position or "Director" of each technology transfer office. High level discussions on problems that face Technology Transfer Office heads will be facilitated by Kathy Ku.**

Plan to attend this Advanced Topics meeting for professional development, networking with senior colleagues and a great opportunity to share your views with AUTM leadership. Please watch for a broadcast fax coming soon which will give registration details; or E-mail or fax Penny now at AUTM Headquarters for registration information. Do not be late! This meeting will be oversold.◘

The *AUTM Educational Series*

by Jean A. Mahoney, Princeton University

AUTM'S *Educational Series* has been received with great enthusiasm. With 13,000 copies of the first issue already sold, these publications, designed as handouts for widespread distribution, are helping our programs spread the word to inventors on matters relating to intellectual property management.

The first issue, by Lisa von Bargen Mueller, entitled "An Inventor's Guide to Patents and Patenting," outlines the basic facts that are essential for inventors to know before engaging in the patent process.

The soon to be released second issue, entitled "Prior Art: Silent Time Bombs That Can Blow Away Your Licensing Deals," by Grace P. Malilay, Ann M. Mueting, and Ann S. Viksnins, is a compilation of the actions that could threaten the ability to obtain a patent. The authors describe prior-art considerations and offer helpful advice on how to recognize and avoid these pitfalls. This monograph updates the authors' previously published Journal article on this topic and includes a useful summary for the reader.

The publications in the *Educational Series* are affordably priced to encourage high-volume orders. The special introductory rates set for the first volume are scheduled to increase by the end of the year . So get your orders in quickly for "An Inventor's Guide on Patents and Patenting" to take advantage of this savings while supplies last!

Watch your mail for information regarding release of the second issue. To order copies of the first issue contact AUTM Headquarters.◘

♫ Of Note...

October 19-22, 1997, Basic Licensing and TOOLS Courses. Washington, D.C.

December 11-14, 1997, Advanced Topics in Licensing Meeting and First Ever Director's Forum. Naples Florida.

SAN ANTONIO, 1998! Lets "Look through the Mirror" together in San Antonio. Make sure **February 26 to March 1, 1998**, is marked in your calendar, for the 1998 AUTM Annual Meeting being held at the Hyatt Regency Riverwalk.

Five Plenary Speakers, 40 Workshops, 12 Special Interest Group sessions, seven Educational Tracks, fun and fellowship.

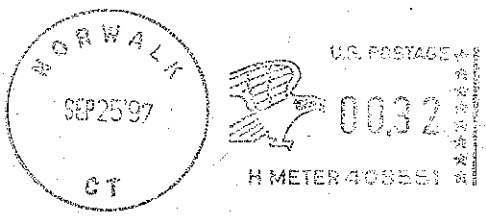
The meeting will be as successful as you make it, so be there! - Barry Rosenburg, Georgia Tech Research Corporation

AUTM Licensing Survey on a diskette To order the *AUTM Licensing Survey Diskette for Fiscal Years 1991-1995* (which contains a single DATA TABLE of raw data for 197 institutions for five years), you must first purchase the *AUTM Licensing Survey Full Report* , which contains information and data needed to interpret the data on diskette. In addition, you must read and agree to the terms of the DATA USE LICENSE AGREEMENT. For more information and an order form, contact Penny Dalziel at AUTM headquarters at autm@ix.netcom.com and 203-845-9015.

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