Anne Hudgins Sullivan

Apartment 513
4000 Massachusetts Avenue, N.W.
Washington, D.C. 20016

(202) 842-5396 (W)
(202) 244-4042 (H)

Summary of Qualifications:

Five years of experience in financial services industry. Twenty years experience as professional staff on three Congressional committees, and as legislative assistant to a senator.

Selected Skills and Accomplishments:

Legislative: Initiated and shepherded into law the Small Business Innovation and Development Act, which sets aside $1.5 billion annually in federal R&D funds for small high technology companies. Devised and executed strategy to overcome opposition; opponents included the White House, DoD, NASA, NIH, OMB, universities, and New York Times and Washington Post editorials. Convinced 88 senators to co-sponsor the bill, thus creating momentum to help win House passage.

Proposed, wrote, and analyzed survey of 6500 exporters concerning their trade problems, while working for Senate Small Business. Used survey conclusions to convince Senate Banking to pass legislation, which House acceded to, requiring Export-Import Bank to change loan policy.

Responsible for two-tier patent fee legislation, which was opposed by the patent office. Proposed bill while working for Senate Small Business and had the chairman introduce it. Judiciary had jurisdiction over patent issues; subsequently convinced Judiciary Chairman Thurmond and ranking member Kennedy, as well as Senators DeConcini and Hatch, to co-sponsor the measure. Guided it into law.

Financial Services: Have working knowledge of stock and bond markets, and related insurance products. Familiar with regulatory issues. Also identified opportunities for underwriting small growth companies.

Organizational: Formed coalitions by mobilizing constituents, trade associations, and individual companies. Worked with both lobbyists and senior corporate executives. Coordinated outside efforts while personally meeting with Administration officials. Planned committee hearings in Washington and in the field, developed witness lists, including technical experts to build substantive case and media celebrities to publicize issue.

Writing: Wrote press releases, speeches, testimony for principals, committee reports. Examples: Senate Judiciary report on conflict between first and sixth amendment; guide to obtaining information under Freedom of Information Act, which has sold over 100,000 copies; opinion piece published in New York Times.

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Employment History:

1984 to present, stockbroker at Johnston, Lemon & Co., a Washington-based investment banking and brokerage firm. Primarily direct sales job involving stocks, bonds, tax shelters, pension funds, etc. Also involved in other areas.

1981-1984, professional staff member, Senate Small Business Commitee. Responsible for trade and technology issues. Worked mainly with Senator Warren Rudman.

1977-1981, professional staff member, House Government Operations Committee. Responsible for the Freedom of Information Act and privacy issues, including disclosure requirements for insurance companies and right of industry to safeguard proprietary information given to the government. Worked with Representative Jack Brooks.

1974-1977, professional staff member, Senate Judiciary Committee. Responsible for first amendment issues. Wrote speeches for chairman.

1964-1974, legislative assistant to Senator Sam J. Ervin Jr. Briefed the senator on legislation, represented him in meetings with interest groups, drafted floor statements, committee testimony.

Education:

B.A. Swarthmore College
M.A. George Washington University

References available on request.

UNITED STATES DEPARTMENT OF COMMERCE
National Technical Information Service
5285 Port Royal Road
Springfield, Virginia 22161
OFFICE OF THE DIRECTOR

JUL 11 1986

MEMORANDUM TO: Dr. Bruce Merrifield

FROM: Joseph F. Caponio

SUBJECT: Comparative Survey of Private Sector Technology Transfer Organizations

As part of our program evaluation effort at NTIS, we asked Dr. Willard Marcy to review our Patent Licensing Program's methodology, procedures, typical contract terms, productivity, licenses negotiated, and revenue generated in comparison with university and private sector programs.

For most of the 19 years that Dr. Marcy served with Research Corporation, the oldest and largest invention management organization in the country, he was Vice President in charge of Invention Management. He has been active in the American Chemical Society (Chairman of Committee on Patent Management), President of the American Institute of Chemists, corporate representative, Industrial Research Institute, chairman of the board of Editors of Research Management and author of 39 books and papers in the field.

His report is attached. Seven major universities and three patent management groups and our CUFT answered his detailed questionnaire. Our methods, fee rates, and agreements are typical of other groups and our current results show that, per licensing specialist, CUFT places in the top three in revenue producing properties, licenses issued, inventions promoted, revenues generated, foreign filing and revenue from foreign sales. CUFT's licensing rate of 20% of patent applications filed is high for Federal programs and average for the surveyed group, but below the leaders who approach 40%. This is due to more critical and selective disclosure evaluation by these groups who limit filing to higher quality more licensable inventions. All respondents indicated that less than 10% of their licenses produce over 90% of their income.

I think our group is well qualified to assist in future programs to train other agencies and laboratories in invention management.

Attachment

cc: R. Ellert
J. Williams
N. Latker
J. Clark
D. Mowry

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U.S. DEPARTMENT OF COMMERCE

June 10, 1983

To : D. Bruce Merrifield

THRU: Egils Milbergs

From: Norm Latker

SUBJECT: Question posed by the Japanese to ITA (attached)

Here it is! All the evidence we will ever need on why we need to vigorously implement the President's memo.

Clearly the Japanese question to ITA, on the appropriateness of our patent policy is prompted by their fear of being cut off from their free ride on technology.

We need to move on to doing the same with our ~~membership~~ owner technical data in the FAR.

Attachment

cc: J. Williams
N. Latker
T. Parker
R. Ellert

TRANSMITTAL FORM CD-82A (10-67)
PRESCRIBED BY DAO 214-2

USCOMM-DC 1838-P67
GPO : 1976 O - 216-459

GOJ Part II

Question No. 3 (Concerning title to the results obtained through Government-subsidized research and development):

"All the technological results based on research and development, commissioned by our country's Government, belong to the State, and as their implementation is without discrimination, within or outside the country, and it is non-monopolistic, they can be implemented by a plural number of persons.

(1) As can be seen in the Memorandum, 'Government Patent Policy,' which President Reagan announced in February of this year, the U.S. is moving in the direction or recognizing the commissioned enterprises' ownership of patents, based on Government-subsidized research and development. How does the U.S. Government intend to coordinate this with the State's public role? Are there no criticisms from other enterprises, which did not receive the commission?"

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RECEIVED
JUN 14 1983
D. BRUCE MERRIFIELD

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USCOMM-DC 1232-P67
GPO : 1976 O - 216-459

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Response:

It is the policy of the U.S. Government to support research and development projects and to provide a climate that fosters innovation and the commercialization of new products and processes. Inventions developed under Government support constitute a valuable national resource. With appropriate incentives, many of these inventions will be further developed commercially by the private sector. The new products and processes that result will improve the productivity of the U.S. economy, create new jobs, and improve the position of the U.S. in world trade. Experience has shown that, in most instances, allowing inventing organizations to retain title to inventions made with Federal support is the best incentive to obtain the risk capital necessary to develop technological innovations.

The current policies of the Federal Government with respect to ownership of inventions made by contractors varies from agency to agency. Some agencies allow their contractors to have the first option to retain title, subject to license rights in the Government which will enable the Government to use the

invention in its own programs. On the other hand, other agencies are subject to specific legislation that favors Government retention of title, although such statutes also allow the agency to waive title to the contractor. However, there is a uniform Government-wide policy established by statute for small business firms and nonprofit organizations, including universities (Public Law 96-517, 35 U.S.C. 200 et. seq.). Small business firms and nonprofit organizations doing business with the Government have the option, with limited exceptions, to retain title to their inventions. Their title is subject to a nonexclusive license in the Government and a few other conditions.

The Administration believes it is in the best interests of the United States and the general public that the same or substantially the same policies embodied in Public Law 96-517 be extended to all R&D contractors, to the extent permitted by law. The Government has the right to "march-in" and require licensing where the inventing organization fails to pursue development of the invention. In addition, the Department of Justice will develop an appropriate safeguard against anticompetitive retentions of title by organizations not subject to Public Law 96-517.

The Administration is not aware of any private sector dissatisfaction with its recently announced policy with respect to title to inventions made by contractors in the performance of U.S. Government-sponsored research and development. In fact, ~~addition~~, private enterprises have been very supportive of legislation proposed by Congress that would grant title to inventions developed under Government support to all contractors not covered by Public Law 96-517.

Wang No. 28057