EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

OFFICE OF FEDERAL
PROCUREMENT POLICY

MAR 20 1981

Honorable Charles McC. Mathias, Jr.
Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mac:.

I am responding to your letter of February 13, 1981, regarding the Office of Federal Procurement Policy's (OFPP's) use of its authority to draft implementing regulations under P.L. 96-517, "An Act to Amend the Patent and Trademark Laws."

The Interagency task force to which you referred is one which was established by GSA under the Federal Property Act. The task force is drafting patent regulations including the regulations for licensing of government owned patents as required by Section 208 of P.L. 96-517. OFPP will not delegate its responsibility to implement Sections 202 through 204 and 206 of the law and my office is reviewing the procedures to be followed. Implementing regulations will not be issued prior to soliciting comments through a notice in the Federal Register and directly from other groups such as industry associations, small businesses, universities, and non-profit organizations affected by the Act. This will serve to identify and consider any special problems that the private sector might have. All comments will be assessed by OMB/OFPP and incorporated as appropriate in the regulations before final issuance.

Representatives of OMB, OFPP and GSA have met with the Patent Committee of the Council on Government Relations of the National Association of College and University Business Officers and solicited their contributions toward the formulation of regulations implementing P.L. 96-517.

Since the Act covers disposition of inventions made under grants, cooperative agreements, and contracts, the Assistance Policy Branch of OMB is supporting OFPP in the drafting and coordination of the proposed implementing regulations.

As you are aware, the President is particularly concerned with the impact of any regulations which may inhibit either production, innovation or commercialization. Thus, we too are especially sensitive to ensuring full and proper implementation of P.L. 96-517.

Thank you for your interest and support.

Sincerely,

David A. Stockman
Director