March 12, 1979

The Honorable Gaylord Nelson
United States Senate
Washington, DC 20510

Dear Senator Nelson:

I am a professor and Chairman of the Department of Biochemistry at the University of Wisconsin and have been involved in research in the health sciences for well over 25 years. Prior to the patent institutional agreement between the University of Wisconsin, Department of Health, Education and Welfare (HEW) and the Wisconsin Alumni Research Foundation (WARF), none of the inventions resulting from my research were patented or developed. For example, our group first isolated and identified a compound known as 13-cis retinoic acid in skin tissue. We did not patent the compound and its usefulness was not pursued until just about one year ago when Hoffmann-La Roche began investigating its use in the treatment of the skin disease acne. On the other hand, our discoveries of the active forms of vitamin D which began in 1968 were rapidly developed because of a patent agreement between WARF, HEW and the University of Wisconsin. This permitted us to patent and develop these compounds for the medical world. In fact, 25-hydroxyvitamin D, one of our earliest patents, is now being developed in this country by Upjohn and is marketed in France by the Roussel Company (note the contribution to balance of payment). More recently our 1,25-dihydroxyvitamin D, a hormone derived from the vitamin, is being developed for the treatment of bone disease all over the world and has recently been released on the market by Hoffmann-La Roche. This is a remarkable, rapid reduction to practice of a basic invention. This was made possible by the institutional agreement and it would not have been possible prior to 1968 as in the case of 13-cis retinoic acid.

This preamble is to alert you to an important bill that was introduced on February 9, 1979, by Senators Bayh and Dole entitled "University and Small Buisness Patent Procedures Act". This important legislation is designed to permit the transfer of technology from government supported research to industrial practice. This bill is extremely important to the development of inventions that come to pass from our outstanding basic research in this country. It is especially important that we are able to capitalize on our inventions in other countries and thereby improve our balance of payments. Most important, it will give to the people the reward they richly deserve, namely, the reduction to practice of inventions as a result of research they have supported with their tax dollars. I strongly urge your aggressive support for this legislation.