NORMAN J. LATKER

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SUMMARY OF SKILLS:

LEGAL - Knowledge of existing laws impacting on the science community. Significant interface through legal services with universities, nonprofit organizations, high-technology businesses and Congress. Capable of organizing, planning and developing effective procedures for implementing federal laws.

SCIENCE AND TECHNOLOGY - Knowledgeable of most significant R&D programs being supported by government funding and mechanisms for transfer of results to commercial use. Bachelor of Science in Civil Engineering with significant background in Advanced Chemistry.

GOVERNMENT AND CONGRESSIONAL RELATIONS - Extensive experience in serving on interagency executive department and congressional task forces. Working knowledge and familiarity with the legislative process, the importance and impact of rules and committees.

COMMUNICATIONS - Wrote and delivered speeches, chaired workshops, conferences, and interagency committees. Served as draftsman for a number of federal regulations. Authored articles on intellectual property, technology transfer, government patent and science policy. Skilled in analyzing issues and developing strategies, negotiating issues to workable compromise, and achieving objectives with positive effect on the science community.

MAJOR PROFESSIONAL ACCOMPLISHMENTS:

- Developed and implemented the institutional Patent Agreement Policy for Department of Health, Education and Welfare (DHEW), which presently involves 78 agreements with major universities and other nonprofit organizations.

- Developed and implemented the procedures and policies involving waiver of DHEW-funded inventions.

- Aided through the above policies in the delivery of over 75 health-related inventions to the marketplace and the licensing of other inventions still in the state of development.

- Identified, through the management of the above programs, the factors necessary to achieve successful technology transfer and utilization of government-funded inventions.

- Primary architect of P. L. 96-517, "The 1980 amendments to the Patent Laws," which incorporates the above factors. This is the first major patent Act in twenty five years.

- One of the primary architects of the patent rights clause for the Nonnuclear Energy Research and Development Act of 1974.

- Primary architect of Office of Management and Budget (OMB) Circular A-124 and Bulletin 81-22.

- Primary architect of the President's February 18, 1983 Memorandum on Government Patent Policy.

PROFESSIONAL EXPERIENCE:

Department of Commerce (DOC)
Director, Office of Federal Technology Management Policy (FTMP) 1981 - Present

FTMP is responsible for identifying problems that would affect the utilization of technology resulting from federally funded research and recommending administrative, legislative or regulatory solutions to these problems.

Small Business Administration (SBA)
Assistant Chief Counsel for Patent, Research and Development, Office of Advocacy 1979 - 1981

Responsible for the resolution of intellectual property, and research and development problems that affect small business through formulation of administrative, legislative or judicial positions. Responds to questions regarding small business management and development of inventions. Assigned to Office of Management and Budget in 1981 to assist in developing and implementing regulations for P. L. 96-517. (OMB Circular A-124 and Bulletin 81-22).

Department of Health, Education, and Welfare (DHEW)
Patent Counsel, Office of General Counsel 1969 - 1979

In charge of the Patent Branch, Office of the General Counsel, which is responsible for administration of the Department patent program and for legal services to the Department relating to patents, inventions, copyrights, and other forms of intellectual property resulting from the Department's two billion dollar annual Research and Development program. Also adviser to the Veterans Administration and the Agency for International Development on an ad hoc basis.

Department of Health, Education, and Welfare, Office of General Counsel - Senior Patent and Copyright Attorney; 1966 - 1969

National Institute of Health, Office of the Director - Patent Counsel; 1963 - 1965

Air Force Systems Command, Office of the Judge Advocate General - Patent Advisor

Army Ordnance, Office of the Judge Advocate General - Patent Advisor; 1960 - 1961

U. S. Patent Office - Patent Examiner; 1956 - 1959

EDUCATION:

L.L.B., Law, University of Illinois, 1956
B.S.C.E., Civil Engineering, University of Illinois, 1953

Judge Advocate General's Procurement Law School, University of Virginia, 1961
Post graduate course in electronics, advanced chemistry, biochemistry, and medicinal chemistry.

OTHER PROFESSIONAL ACTIVITIES:

Chairman, Subcommittee on University Patent Policy of the Federal Council for Science, Engineering and Technology (FCSET), 1971 - 1978
Vice Chairman, Subcommittee on Intellectual Property of the Federal Council for Science, Engineering and Technology, 1974 - 1978
Executive, Legislative, and Commission Service:
FCSET drafting committee for development of standard patent rights clauses for use in Federal procurement negotiations; 1971 - 1972.
FCSET drafting committee of the Federal Property Management Regulations on Licensing of Government-owned inventions; 1971 - 1972.

Ad hoc Executive Branch and Legislative drafting committee for development of the patent rights clause for the Nonnuclear Energy Reearch and Development Act of 1974.
Draftsman for the Patent Task Force for the Congressional Commission on Government Procurement; 1971.
Draftsman of the section on Disclosure Information for the Report of the President's Biomedical Research Panel; 1976
DHEW Interagency Committee on Significant Drugs with Little Commercial Value; 1978.
House Science and Technology's Committee on Workshop on Aids to the Handicapped; 1980.
Subcommittee on Trade Secrets and Data Confidentiality, Council on Environmental Quality; 1978.
Technical Advisor on intellectual property and research and development to the Subcommittee on the Constitution of the Senate Judiciary Committee.

ASSOCIATIONS:

American Bar Association; Federal Bar Association; Government Patent Lawyers Association; American Patent Law Association.

HONORS:

Dean's List; Chi Epsilon Honorary Civil Engineering Society; Presidential Citation for services rendered in developing patent section of the Nonnuclear Energy Research and Development Act of 1974; SBA Citation for services rendered in developing P. L. 96-517; OMB Citation for services rendered in developing OMB Bulletin 81-22 and OMB Circular A-124; Department of Commerce Citation for services rendered in developing the President's Memorandum on Government Patent Policy; 1983 "Birch Award" from Society of University Patent Administrators for contributions in enhancing technology transfer process.

MAJOR ADDRESSES AND PUBLICATIONS:

Testimony before the U. S. House of Representatives Committee on Science and Technology, Science Policy Implications of DNA Recombinant Molecule Research, May 26, 1977
Testimony before the U. S. House of Representatives Committee on Science and Technology, Government Patent Policy, September 29, 1976
"Utilization of Government-Owned Health and Welfare Inventions," Journal of the patent Office Society, November, 1965
Report to the President and Congress on the Stevenson-Wydler Technology Innovation Act of 1980

Address to the American Association for the Advancement of Science - "Federal Technology Management Policy," May 29, 1984

Address to the American Intellectual Property Law Association - "Federal Technology Management Policy," May 11, 1984

Address to the National Contract Management Association - "Federal Technology Management Policy," April 19, 1984

Address to the Aerospace Industries Association of America - "Federal Technology Policy," April 21,1984

Address on Inventor's Day at U. S. Patent Office, February 5, 1981 and 1982

Address to the Licensing Executive Society - "Current Status of Legislation Affecting the Licensing of Technology," October 14, 1980

Address to the Government Patent Lawyers Assocation - "The Philosophy of Different Policies on Disposing of Government Funded Inventions," April 1979

Address to the Second Annual Technology Exchange World Fair - "The Ramifications of the Small Business and University Patent Procedures Act," March 1, 1979

Address to the Second Annual Meeting of the Society of University Patent Administrators - "The Impact of Laws and Regulations on the Innovative Process," February 9, 1977

Address to the Second Annual Academic Planning Conference - "Ethical and Economic Issues: University Policies for Consulting, Overload Instructional Activities and Intellectual Property," January 20, 1977

Address to the American Patent Law Association - "Current Government Patent Policy as Applicable to Universities and Nonprofit Organizations," January 8, 1976

Address to the Academy of Pharmaceutical Sciences - "The Protection of Intellectual Property under the Fourth Exemption of the Freedom of Information Act," November 19, 1975

Address to the New Jersey Patent Bar Association - "Current Trends in Government Patent Policy," September 18, 1975

Address to the Third Annual University/Industry Forum - Technology Exchange - "Current Trends in Technology Transfer," February 3-7, 1975

Address to the Conference on Technology Transfer at Case Western University - "University Opportunities and Responsibilities," October 15, 1974

Address to the National Congress - "The Availability of New Technology toIndustry from American Universities and Technological Institutes," April 2, 1973

REFERENCES

Robert J. Dole is the senior U. S. Senator from Kansas, the Chairman of the Senate Finance Committee and a member of the Subcommittee on Patents, Copyrights and Trademarks of the Senate Committee on the Judiciary. Senator Dole introduced and was a primary supporter of Public Law 96-517, frequently called the Dole Bill, which was enacted in 1980.

In the late 1970s, Senator Dole became aware of both the widespread problems in converting government-funded research into useful products, and the principles Mr. Latker had developed at the Department of Health, Education, and Welfare to promote development and use of inventions made with National Institutes of Health grants. He asked Mr. Latker to help draft a law that would extend these principles government-wide. When enacted, the law eliminated 22 conflicting statutes and established, for the first time, the right of universities and small businesses to own the inventions they produce with federal research and development funding.

During both the 97th and 98th Congresses, Senator Dole requested Mr. Latker's assistance in developing legislation that would remove some exceptions in 96-517 and extend the principle of contractor ownership of inventions to all who perform federally-funded research and development. A law accomplishing some aspects of this was just passed and signed by the President. Plans are being made with Senator Dole's staff to continue the work in the 99th Congress.

Betsy Ancker-Johnson is a Vice President of General Motors. Her association with Mr. Latker began during the 1973-77 period when she was the Assistant Secretary of Commerce for Science and Technology. She chaired the Government Patent Policy Committee and Mr. Latker chaired the University Patent Subcommittee. She learned of his accomplishments at the Department of Health, Education and Welfare and agreed to help develop them into a general government policy. Her continued support has helped Mr. Latker's ideas gain government and public acceptance.

Edward L. MacCordy is the Associate Vice Chancellor for Research at Washington University in St. Louis, and President of the National Council of University Research Administrators. He met Mr. Latker when he represented Washington University in negotiating one of the early Institutional Patent Agreements with the National Institutes of Health (NIH). He was closely involved with the University's computer and biomedical resarch programs--two rapidly advancing fields where patenting and commercialization of inventions produced with federal funding was particularly important. Concluding that the NIH policy should become government-wide he became an early and continuing advocate

of legislation in university community and with Congress. He has also been very active in helping the research universities develop the management capacity necessary to promote and transfer their inventions to industry.

Albert Gold is the Vice President for Finance and Administration, Desert Research Institute, University of Navada System. While in a similar position at the Rockefeller University, he was an early supporter of Mr. Latker's principles. He was particularly interested in the problems and business aspects of raising capital to develop government-funded university inventions. He was very active in building the university concensus for new policies and legislation. This concensus was an important ingredient in the enactment of P.L. 96-517.

Howard W. Bremer is the Patent Counsel for the Wisconsin Alumni Research Foundation. The University of Wisconsin has one of the longest and most successful records in the country of research collaboration with industry for the public benefit. As the WARF Patent Counsel for many years, Mr. Bremer has had an opportunity to observe the effects of both the old government patent policies and the new ones developed by Mr. Latker. He represented the University of Wisconsin in negotiating the first Institutional Patent Agreement with the National Institutes of Health. He participated actively in obtaining P.L. 916-517. Mr. Bremer was one of the founders of the Society of University Patent Administrators, is a past president of the Society, and was instrumental in obtaining the Society's Birch Award for Mr. Latker in 1983.