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June 22, 2007

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United States Patent and Trademark Office
Office of International Relations
Madison West Building, Tenth Floor
600 Dulany Street
Alexandria, VA 22313

Attention: Mr. Jon P. Santamauro

Dear Mr. Santamauro:

This is in response to the Request for Public Comments on International Efforts to Harmonize Substantive Requirements of Patent Laws issued on May 3, 2007 (72 FR 24566). The U.S. patent system is a critical component in the university technology transfer efforts to move early stage technologies from the basic research laboratory to the private sector for commercialization into products that are accessible and useful to the general public. In that regard, the University of California has a strong interest in the patent laws of both this country and overseas to provide adequate, strong and reliable patent protection to ensure private sector investment in further developing University technologies.

As international patent personnel advocate for changes within the U.S. patent system to harmonize the domestic laws with international approaches, it would be equitable for the United States Patent and Trademark Office (USPTO) and other government negotiators to ensure any negotiated accommodations in U.S. patent laws under each of the first eight topics identified in the Federal Register Notice are equalized by corresponding adjustments in foreign patent laws.

The University is particularly interested in the fourth topic, Grace Period. The University supports and encourages the USPTO to maintain the grace period that currently exists under the U.S. patent system. University researchers operate in a "publish or perish" environment with a goal to share new knowledge as promptly as possible and where career advancement is dependent on publication of research results, not filing of patent applications. In particular, with the U.S. Congress considering

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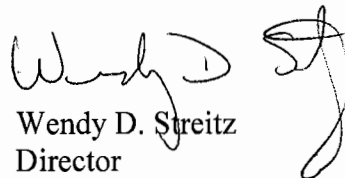
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harmonization with other foreign laws on a first-inventor-to-file system, it is especially critical that an effective grace period identical to the existing one be maintained in the United States and be advocated for under foreign patent laws. We encourage the USPTO to seek equitable harmonization on this issue and fully support a standardized one-year international grace period as mentioned by Commerce General Counsel John J. Sullivan in his May 16, 2007, letter to Chairman Berman regarding H.R. 1908.

The ninth topic discusses direct filing of patent applications under some foreign systems by the assignee rather than the inventor. We feel that the USPTO should ensure that such a filing be conducted under oath.

The University appreciates the USPTO's interest in feedback from the various stakeholders who utilize both the domestic and international patent systems and this opportunity to express our views on these topics.

Sincerely,



Wendy D. Streitz
Director

Policy, Analysis and Campus Services

cc: Executive Director Tucker
University Counsel Simpson
Assistant Director Tom