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Federation of American Societies for Experimental Biology

----*Quality Life Through Research*----

January 4, 2005

Dr. Bonny Harbinger
Office of Technology Transfer
National Institutes of Health
6011 Executive Blvd., Suite 325
Rockville, MD 20852

Re: Best Practices for the Licensing of Genomic Inventions, FR
Doc. 04-25671

Dear Dr. Harbinger:

The Federation of American Societies for Experimental Biology (FASEB) appreciates the opportunity to comment on "Best Practices for the Licensing of Genomic Inventions" appearing in the Federal Register on November 19, 2004. FASEB is comprised of 22 societies with 65,000 members, making it the largest coalition of biomedical research associations in the United States. The mission of FASEB is to enhance the ability of biomedical and life scientists to improve, through their research, the health, and well-being and productivity of all people. In general, we find the proposed best practices agreeable and offer specific support for two of these.

As scientists, we endorse the philosophy that the broadest distribution of research tools and resources will best advance the interests of science and society. Therefore, we strongly approve the best practice stated in the notice that funding recipients reserve in their license agreements the right to use the licensed technologies for their own research and educational uses, and to allow other non-profit institutions to do the same. Moreover, this issue is so important for academic researchers that we suggest it be given more prominence in the guidelines. We also agree that non-exclusive licensing of genomic inventions should be pursued as a best practice, whenever possible. These two practices in particular are consistent with the mission of FASEB and are in the best interest of science.

Thank you for the opportunity to provide input into these guidelines.

Sincerely,

Paul W. Kincade, Ph.D.
FASEB President