

September 7, 1999

Barbara M. McGarey, J.D.
Research Tool Guidelines Project
NIH Office of Technology Transfer
6011 Executive Boulevard, Suite 32
Rockville, MD 20852-3804

Dear Ms. McGarey:

The Federation of American Societies for Experimental Biology (FASEB), the world's largest organization of biomedical and life scientists representing 19 societies with combined membership of over 66,000 scientists, would like to comment on the proposed policy, Sharing Biomedical Research Resources: Principles and Guidelines for Recipients of NIH Research Grants and Contracts. We compliment the NIH for carefully examining intellectual property issues and developing a set of practical recommendations, which are in compliance with the Bayh-Dole Act and NIH funding agreements, to promote the transfer of research tools.

FASEB urges the NIH to promote the interchange of research tools between researchers in the public and private sectors, since this sharing of resources often serves as a catalyst for exciting discoveries in biomedical research. We therefore praise the recommendation to limit exclusive licensing of research tools to only commercial applications and at the same time, allow for the use of these research tools by non-profit entities and government. This is a creative and cogent solution for overcoming a roadblock to progress in the research community.

We would like to encourage the NIH to implement the document's recommendations as soon as possible. FASEB stands prepared to work with the NIH and other Federal agencies to continue efforts to promote research productivity by streamlining the technology transfer process and providing an appropriate level of regulation over the sharing of intellectual property. Our members endorse the philosophy that the open dissemination of research tools and resources will best advance the interests of science and society.

Sincerely,

David G. Kaufman, MD, PhD
FASEB President

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