

mence with someone who would protect it for the original discoverer or avoid the seizure of this plan inequitably by someone who is building on research done at the expense of Government.

Dr. VON BRAUN. Well, I agree that this potential does exist. I don't believe we ever had any serious abuses here. At least I don't know of any. As I understand this, whenever a contractor develops something for the Government, and in the process of developing this item he runs into some idea or method that he considers patentable, he can file a patent. But the Government by virtue of having financed and sponsored the development program automatically owns the right to use this patent, not only for that particular development, but also for anything else.

Mr. ECKHARDT. That's exactly what I was saying.

Mr. HEBERT. The same thing in universities.

Dr. VON BRAUN. But in some cases a contractor may plan to utilize this patent for something entirely out of our area, and this he can do, with the Government's permission. How is this, Harry?

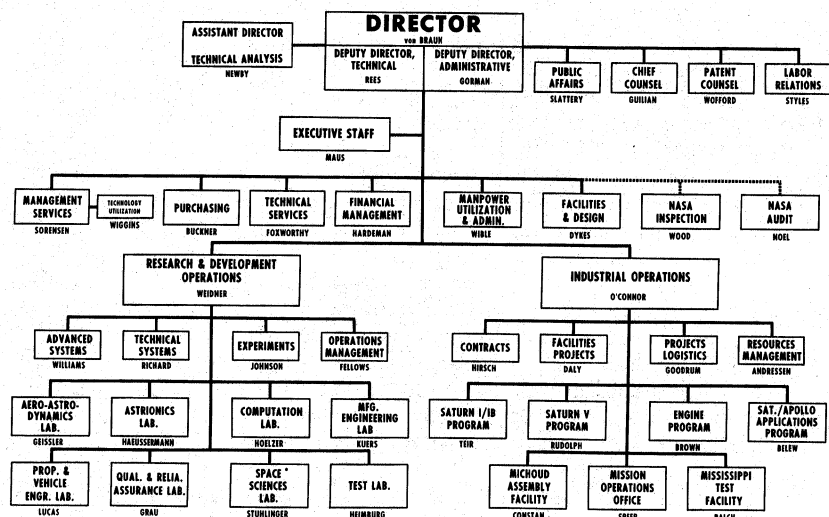
Mr. GORMAN. Our problem is to get the contractors to make their patent disclosures to us. It is a problem for a number of reasons.

Mr. ECKHARDT. There might be a public policy against an individual or contractor patenting a device to the exclusion of other persons, when in fact the original research was initiated by Government. In other words, there can be public policy against restriction of use, and without an active Patent Counsel, it would appear to me that there can be inequitable seizure on ideas actually originally developed by Government.

Mr. GORMAN. Part of the Patent Counsel efforts here are directed toward obtaining the disclosures on the part of the contractors.

Mr. TEAGUE. Doctor, thanks for a very good briefing.

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1/67 E-O AB317