and found to be inappropriate to the academic community's interests. For example, Release and Use Restrictions gives the government the right to full control of release of data developed under contract. This is contrary to well established university policies that assure the right of unencumbered publication of scholarly works and research fundings.

COGR is supported in its position, by the Office of Federal Procurement Policy, which suggests that further consideration of these provisions should be set aside in favor of developing corresponding Federal Acquisition Regulations coverage. OFPP says, the proposed FPR coverage differs from that contemplated by the FAR for government-wide implementation. This development is favorable because the FPR would require a case-by-case agency review of copyright ownership.

3. HHS Removes Restrictions on Royalty Distribution to Inventors

The Department of Health and Human Services removed its restriction on the amount of royalties a university may share with its inventors. A notice published in the Federal Register of December 24, 1981 amends the Department's Institutional Patent Agreements and all determinations previously made by removing royalty limitations. Lifting the restriction permits universities to have a single patent policy rather than one for HHS inventors and one for all other inventors. Italso removes unnecessary administrative and clerical burdens and restores equity among researchers/inventors receiving federal support.

4. Patent Regulations Implementing P.L. 96-517 Issued

Patent regulations implementing P.L. 96-517 were issued on February 19, 1982 in the form of OMB Circular A-124. The effective date of the Circular is March 1, 1982. Now that the regulations are in place, universities have some protection from overzealous implementation of P.L. 96-517 by the various government agencies.

The regulatory analysis section of the Circular indicates a number of significant areas of regulation were addressed.

1. Reporting on utilization of inventions shall not be implemented by the individual agencies until the lead agency (Department of Commerce) establishes a reporting format.

2. The optional reporting language was eliminated. Substantial public comment objecting to its use, and lack of established need caused its demise.

3. However, changes were made in the Reporting, Election and Disclosure provision to accomodate agency concerns with deletion of the optional reporting requirement.

4. Royalty sharing is prescribed on a net or gross basis in accordance with institutional policy.

5. A de minimus standard was considered and rejected.