

From: Simmons, Jacqueline

Sent: Thursday, November 01, 2012 11:33 AM

To: fitf_guidance

Subject: Indiana University's Comment on Proposed Rules for Examination Guidelines for Implementing the First-Inventor-File Provisions of the Leahy-Smith America Invents Act

ATTENTION – Mary C. Till, Senior Legal Advisor

Re: Indiana University's Comment on Proposed Rules for Examination Guidelines for Implementing the First-Inventor-File Provisions of the Leahy-Smith America Invents Act ("AIA"), 77 Fed. Reg. 43759 et seq. (July 26, 2012)

Dear Ms. Till:

I write regarding the examination guidelines for implementing the first-inventor-file provisions of the AIA. Indiana University urges the USPTO to adopt a "broad" construction of the First-To-Publish Grace Period Exceptions in AIA Section 102(b) subparagraph (B), instead of the currently proposed "narrow" construction of the scope of these FTP Grace Period Exceptions relative to the intervening disclosures of others. Such a construction is of great importance to the university community as a whole, and to Indiana University in particular, as it balances a university's need to quickly and widely disseminate scientific research with its ability to serve as a source of technology available for commercialization. To that end, Indiana University supports the comments submitted by AAU, the American Council on Education, the Association of Public and Land-grant Universities, the Association of American Medical Colleges, the Association of University Technology Managers, and the Council on Governmental Relations.

Thank you for considering our position.

Very truly yours,

Jacqueline A. Simmons

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