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YOFFICE OF THE SECRETARY OF DEFENSE
Washington

15 March 1950

Dear Mr. Fischer,

Reference is made to your letter of March 10 to the Secretary of Defense relative to patents on inventions by Colonel William F. Friedman, which you handed to me.

After looking it over, it appears that this is a matter for the Army to handle since Colonel Friedman was a member of that service and his inventions pertain to an agency which was under the Army at the time in question.

Under the National Security Act, the military departments are "administered separately by their respective secretaries." I am, therefore, referring your letter with its enclosures to the Secretary of the Army for his consideration and with the request that you be advised as to the proper office to which you could present the matter in full.

Yours very truly,

LEVEN C. ALLEN
Major General, USA
Executive Secretary

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CSJAGP 50/2227

6 Apr 1950

Mr. Henry G. Fischer
Fischer, Willis and Panser
Dupont Circle Building
Washington 6, D. C.

Dear Mr. Fischer:

Your letter of 10 March 1950 to the Secretary of Defense, together with inclosures, relating to certain pending United States patent applications on inventions made by Mr. William F. Friedman, Director of Communications Research, Defense Security Agency, and now retained in a secret status, has been referred to this office for necessary action and direct reply.

According to your letter the Government permitted Mr. Friedman, alone or together with his collaborators, to retain the commercial or foreign rights pertaining to these inventions.

Your letter also states that in view of the facts set forth therein, including Mr. Friedman's present illness and its effect upon his earning capacity, and your statement that the inventions in question probably will not be released from secrecy for many years, the question has arisen whether, in equity, an attempt is not warranted to have the Congress pass legislation authorizing the Department of Defense to purchase from Mr. Friedman such rights as the Government permitted him to retain in these inventions.

Pursuant to the request in your letter that a representative be designated to whom you would be authorized to present this matter in full and who would have the authority to ascertain and inform you of the disposition of the matter by the Department of Defense, you are informed that this office has been designated for this purpose.

This office is making a preliminary investigation of this matter as presented in your letter, above mentioned, in order that it may be better informed as to the facts and circumstances of the matter already of record before the desired further and more complete presentation thereof is made to this office. It is believed this will be to the advantage of all concerned and will expedite final disposition of the matter on behalf of the Department of Defense. This office will notify you, probably within the next week or two, when preliminary consideration of the matter has been completed.

Sincerely yours,

JAMES R. MILLS
Major, JAOC
Chief, Patents Division