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July 29, 2014

SUBMITTED via e-mail to: myriad-mayo_2014@uspto.gov

Mail Stop Comments – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: Mr. Raul Tomayo

SUBJECT: Comments in Response to Notice of Public Meeting (79FR21736)
USPTO Guidance for Determining Subject Matter Eligibility of Claims Reciting or Involving Laws of Nature, Natural Phenomena, and Natural Products

Dear Mr. Tomayo:

This letter is to provide comments on behalf of the University of California in response to the U.S. Patent and Trademark Office (“USPTO”) request for public feedback on its guidance memorandum entitled, “Guidance for Determining Subject Matter Eligibility of Claims Reciting or Involving Laws of Nature, Natural Phenomena, and Natural Products (Laws of Nature/Natural Products Guidance).” (“Guidance”) While we understand the USPTO’s desire to address recent Supreme Court rulings, we have serious concerns about the overly broad interpretation of the Court decisions in the USPTO Guidance.

The University of California (“UC”) is comprised of ten research-intensive campuses and is involved in the management of three national laboratories. Each UC location is actively engaged in transferring research discoveries to industrial partners who can develop university research results into products that benefit the general public. Without patent protection, companies usually will not invest the substantive time, resources, and capital that are necessary to translate innovative, often early stage, University discoveries into commercial products. Therefore, secure and predictable patent protection is essential to the successful transfer of technologies from academic research laboratories to the private sector.

We agree with the concerns raised in the comment letter submitted by the Association of University Technology Managers and the Council on Governmental Relations. We believe that the USPTO has overreached its authority through inappropriately and unjustifiably broad interpretation of the Supreme Court decisions. This Guidance could have a devastating effect on university technology transfer and especially on UC’s ability to partner with the private sector to develop what are often early stage discoveries into products that would help to diagnose and treat

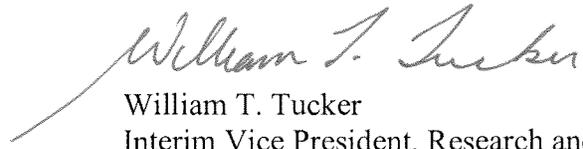
Mr. Raul Tomayo
July 29, 2014

Page 2

diseases. We strongly urge the USPTO to reconsider and pare back the Guidance to a position that is more reasonably supported by the Court decisions.

Thank you for the opportunity to provide feedback on the Guidance for Determining Subject Matter Eligibility of Claims Reciting or Involving Laws of Nature, Natural Phenomena, and Natural Products. We appreciate the USPTO maintaining an open dialogue with the community's stakeholders on ways to improve the patent system to support bringing products from bench to bedside in order to benefit the general public.

Sincerely,



William T. Tucker
Interim Vice President, Research and
Graduate Studies
Executive Director, Innovation
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Cc: Director Duske
Managing Counsel Simpson
Executive Director Streit
Associate Director Tom