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Subject: Grace period

Some of the fundamental underpinnings of this country's innovative success have been our strong legal and judicial systems, the patent system including BayhDole, and more specifically, the grace period afforded by our laws. The grace period is so important to our way of sharing innovative ideas to provide further opportunities for development of concepts and ideas into worthwhile technical and commercial advances. Some of us feel misled by the proponents of patent reform into thinking that the grace period was being preserved intact. Now we learn that the grace period provisions are only partially preserved, and that it can no longer be relied upon in furthering our practices of scientific collaborations that have been so vital to our country's leading role in innovation. As our faculty, scientists and inventors learn about the true nature of the current law and how it will be applied, we see a strong movement to return to the isolation and non-sharing of ideas, i.e., a return to the reliance on trade secrets that the patent system was originally designed to supplant. Just so tragic to have been bulldozed into law to presumably benefit a singular industry to the detriment of the nation's future.

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