Briefing:

Gould's Laser Patents Advance in Court

Gordon Gould, who for 28 years has battled industry and the U.S. Patent and Trademark Office (PTO) over his claim to be an inventor of the laser, won two big victories this fall. The result, Gould says, is that he will collect royalties on 80% of the lasers sold in the United States and Canada, a business valued at more than $500 million.

On 4 November the PTO in effect closed the books on a long-running dispute over a device called the gas-discharge laser, granting Gould a patent. The U.S. Court of Appeals ruled earlier that the PTO had no legal basis for withholding the patent, which it had done for many years, despite Gould's appeals. Meanwhile, in a related case, a U.S. District Court in Florida decided in favor of Gould and against the Control Laser Corporation, which had refused to pay royalties on another Gould patent on optically pumped lasers.

The claims on the gas discharge and optical laser are among those included in an all-embracing patent application made by Gould back in 1959, based on laboratory notebooks he kept while a student at Columbia University. The notes contain the first recorded use of the term "laser," an acronym for a light amplification device based on principles used in the maser, a microwave device invented by Charles Townes, then a professor at Columbia.

Ironically, the PTO's delay in issuing Gould's patents has greatly increased their value, for the laser market has grown in the interim. "That's the kind of irony I like," says Gould. ■ **E.M.**

Radiation Dose Limits

Britain's National Radiological Protection Board (NRPB) has suggested an almost fourfold reduction—from 50 millisieverts to 15 millisieverts—in the maximum legal radiation dose to which those working with nuclear materials can be exposed in any one year.

Its recommendation, which is being passed to the British government's Health and Safety Executive, follows recently revised assessments of cancer rates among survivors of the bombs dropped at Hiroshima and Nagasaki. These suggest that low levels of radiation may cause a greater number of cancers in an exposed population than had previously been thought.

In addition, the NRPB has also suggested that the maximum levels of radiation to which the public can be exposed should be reduced by half, from 1 millisievert to 0.5 millisievert a year. The rules covering occupational exposure will require providing extra protection for about 2000 individuals, ranging from industrial radiographers responsible for checking pipe wields to some of the maintenance workers at the recently opened Sellafield reprocessing plant.

In suggesting that acceptable radiation limits should be revised significantly downward, the NRPB is said to be breaking ranks with the International Commission on Radiological Protection, which says that it has accepted the revised assessments of the Japanese bomb-survivor studies, but has not so far felt it necessary to recommend any revision to dose limits. ■ **D.D.**

MIT Drops Plan to Buy Japanese Supercomputer

The Massachusetts Institute of Technology recently canceled plans to buy a Japanese made supercomputer after the Commerce Department told university officials, in effect, that the purchase would be bad for trade relations with Japan.

Supercomputers are a supersensitive subject between the two countries. Although Americans have been making and selling these machines for several years, the Japanese have declined to buy the U.S. makes even when the capability has been better. In the past 2 years, Japanese companies have begun manufacturing supercomputers and are trying hard to break into the American market.

With the offer to MIT, the Japanese company NEC was being unfairly aggressive, Commerce officials contend. When MIT went shopping for a supercomputer, three American and two Japanese companies made them offers, said Kenneth Smith, vice president of research at MIT and a member of an internal committee that evaluated the various bids.

Smith said that only NEC, in a joint venture with Honeywell as the marketing agent, sweetened its deal by offering a free upgrade on the machine. Although the American-made Cray-2 was the "best machine, the NEC was best for price performance," he said in an interview.

But Commerce undersecretary for trade Bruce Smart wrote MIT's president Paul Gray that "you should be aware that imported products may be subject to U.S. antidumping duty proceedings. A dumping case could be commenced by a private petitioner or by the U.S. government."

MIT then canceled its plans, Smith said, partly because MIT would have used federal funds to purchase a supercomputer and because there is so much symbolism attached to a purchase by MIT of any supercomputer. ■ **M.S.**

Gallo to Stay at NIH—For Now, at Least

For the past several months, Robert Gallo and a pair of venture capitalists from New York City have been discussing the creation of an AIDS institute with officials at Johns Hopkins University in Baltimore. The negotiations collapsed on 24 November when Johns Hopkins issued a statement saying that the "external funding organization" had withdrawn its proposal.

It was widely reported in the press last week that Gallo, the codiscoverer of the AIDS virus, is seriously considering leaving the National Institutes of Health (NIH). Gallo has made no secret of the fact that he is interested in creating a center for the study of human virology that would focus on AIDS research and the development of an AIDS vaccine, and that it might be easier to perform these tasks in a privately funded institute attached to a major university (*Science*, 27 November, p. 1223).

The front men for the "external funding organization" that withdrew its support are David and Isaac Blech, brothers and financial whizkids who have raised the cash for a string of biotechnology companies that include Genetic Systems, DNA Plant Technology, Cambridge BioScience, and Nova Pharmaceuticals.

Gallo says that negotiations with Johns Hopkins fell apart because the Blech brothers "wanted me to sign things I wasn't ready to sign and wanted me to move at a pace I wasn't ready to move at." A spokesperson for Nova Pharmaceuticals, the Baltimore-based drug company involved in the proposal, would only confirm that discussions between the drug company and Johns Hopkins had broken off. A Johns Hopkins scientist close to the talks says that the proposal involved money from Nova as well as funds from the insurance industry and some individual investors. According to the source, "It got so complicated it didn't look as if they could pull it off."

Gallo says he was reluctant to sign any agreements with the Blechs because the "timing" and "mechanisms" were not right. Yale and Duke are still possible sites for an AIDS institute, says Gallo. But some close colleagues think that the 50-year-old scientist will never leave NIH. "Maybe they're right," says Gallo. ■ **W.B.**