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Reforms in the Making for U.S. Patent System

The U.S. patent system might soon be in for fundamental changes—if policy makers take their cues from an upcoming report by a prominent panel of industrialists, academics, and patent lawyers.

In a report scheduled for release next week, the Advisory Commission on Patent Law Reform is expected to outline sweeping proposals that would "harmonize" U.S. patent law with European law. In particular, the report proposes that the U.S. Patent and Trademark Office (PTO) award patents to the first inventor to file an application, as most European governments do. Currently, the PTO awards patents to those who can prove they were the first to produce an invention—a messy process that frequently leads to lengthy and expensive legal fights.

Another proposal calls for the PTO to make patent applications public within 24 months, instead of holding them secret until it makes an award. Some industrialists contend that the PTO's current practice discourages U.S. companies from investing in hot research areas where competitors might already have filed patents.

The panel's recommendations have already been well received: One patent official says he expects Congress to take up patent reform legislation based on the report's recommendations, possibly by this fall.

NATIONAL RADIO ASTRONOMY OBSERVATORY

Come together, right now. A 10-antenna U.S. radio telescope array *(above)* will soon have a 20-telescope counterpart in Europe.

Large European Radio Array Moves Forward

Europe's radio astronomers, who have watched with envy as their U.S. colleagues built the $80 million, 10-telescope Very Long Baseline Array (VLBA), should soon have a similar facility of their own. After 6 years of lobbying, Richard Schilizzi, head of the European Very Long Baseline Interferometry (VLBI) consortium, has finally convinced the European Community (EC) to help pay for a new data processing center needed to run Europe's major radio telescopes together as a single interferometer with enormous resolving power.

Schilizzi, who's based at the Dwingeloo Observatory in the Netherlands, says he won't know for several months just how much the EC is going to contribute. But he's confident that the project will now go ahead, since the science agencies of several European nations had earlier agreed to help out with the estimated $20 million bill, provided the EC got involved.

Most of that money will be used to build a new computer correlator at Dwingeloo that will be able to combine the signals from 20 different telescopes at eight observatories. With the new correlator, astronomers hope to run the European network together with telescopes in the United States to create a massive interferometer with a resolving power about 1000 times that of the Hubble Space Telescope, much the way U.S. astronomers plan to link VLBA with telescopes in Europe. That prospect could spark an explosion of interest in VLBI. Says one astronomer: "We won't get resolution like this at any other wavelength for very many years."

European Biotech Office Gets the Boot

Never on the best footing to begin with, relations between the biotech industry and the European Community's (EC) executive—the Brussels-based European Commission—are now set for a further downturn. The reason? The commission has decided to abolish its Concertation Unit for Biotechnology in Europe (CUBE)—one of the few commission offices that has kept up a positive dialogue with the biotech lobby.

Biotechnology companies have complained for years that the EC's tough regulatory stance on genetic engineering will drive the cutting edge of biotech research to the United States and Japan. The only bright spot in the picture, industry sources say, was CUBE, which they describe as a vital source of information about EC biotech regulation. Even more important, CUBE has been one of the few avenues by which the biotech industry could express its views directly to EC officials.

Industry officials are furious that they weren't consulted about CUBE's impending demise, which the commission justifies as part of a larger bureaucratic restructuring intended to streamline its science policy offices. Officially, CUBE's functions won't disappear—its staff is merely being transferred to other divisions within the commission. But one source who's worked closely with CUBE says those assurances miss the fact that the unit is largely a "one-man show" dominated by its head, Mark Cantley—who's being moved away from biotech to work on the EC's environmental research program.

NASA Catches Flak on Space Station Design

If NASA administrator Daniel Goldin has his way, the U.S. space agency may soon be looking for ways to launch much of its $40 billion space station without the space shuttle. But Goldin's first move in this direction has already erupted in controversy over whether the space station might be redesigned yet again in the process.

Just over 2 weeks ago, Goldin convened what NASA calls a "red team" composed of agency insiders and five outside consultants to consider ways of building the space station faster and cheaper. As first reported in the trade publication *Space News*, NASA associate administrator for exploration Michael Griffin told the team on 14 August that in doing so it was free to redesign the station, so long as its plans made the best use of already-built hardware, preserved international participation, and kept the program on schedule.

A week later, however, Griffin reversed himself and ruled out any station redesign. Instead, he told the team that its sole mission would be to explore cutting the station's cost by launching some of its elements on an as yet purely hypothetical heavy-lift launch vehicle. Griffin also dismissed the outside consultants—some of whom were outspoken station critics—without explanation. He declined to comment, but agency spokesman Bill Livingstone said the presence of outsiders on the internal team presented possible legal problems.

Speculation is rife that pressure from Congress and NASA contractors—who strongly support the station's current design—led Goldin to limit the team's review of the station, a charge Goldin has denied. But Livingstone says Goldin did clearly indicate to Griffin that "repackaging" the station for a handful of launches on a heavy-lift vehicle instead of the currently planned 18 shuttle flights shows the "greatest potential" for cost savings.