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SANTA BARBARA • SANTA CRUZ

OFFICE OF THE SENIOR VICE-PRESIDENT—
BUSINESS AND FINANCE

OFFICE OF TECHNOLOGY TRANSFER
1320 Harbor Bay Parkway, Suite 150
Alameda, California 94502
tel: (510) 748-6600
fax: (510) 748-6639

November 18, 1996

Mr. Edward J. Cronin, Jr.
Chief Operating Officer
National Retinitis Pigmentosa Foundation, Inc.
Executive Plaza 1, Suite 800
11350 McCormick Road
Hunt Valley, MD 21031-1014

Dear Mr. Cronin:

Thank you for sending me the Foundation's new Patent Policy in your letter of October 31, 1996. Your new Policy addresses many concerns I raised in my earlier letter and removes the restrictions that we believed would interfere with the successful transfer of promising technologies.

There were several issues raised in my letter that are not fully resolved by your new Policy. I believe they can be addressed without revisions to the Policy, but with the following understandings:

1. The University will comply with Foundation Policy Provision No. 3 (g) to the extent there are no overriding obligations to the Federal government or other sponsors of research.
2. In accordance with Foundation Policy Provision No. 7, the University will share income with the Foundation, in proportion to the level of funding provided by the Foundation for a particular invention, based upon royalties retained by the University. Royalties retained by the University are considered gross income less expenses and administrative costs, and less mandatory distributions to the State and inventors. As with other non-profit sponsors, the University shall share with the Foundation University income above \$500,000 for any invention.
3. Modifications to Foundation Policy Provision No. 8 are acceptable, with the understanding that the name of the University of California is the property of the State of California and logos are

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registered trademarks of the University. Under State law, neither may not be used by third parties without prior written approval of the University.

4. The terms of the new Foundation Patent Policy will apply retroactively to all 1995 and 1996 awards at all University of California sites.

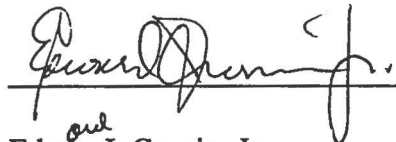
If these understandings are acceptable to the Foundation, please indicate your concurrence below and return a copy of this letter to me. We will then share this information with all University sites and advise them that the new Foundation Policy is acceptable with these understandings. We appreciate the opportunity to discuss these issues with the Foundation and we look forward to continuing our mutually beneficial research program.

Sincerely,



Catherine Whenmouth
Campus Liaison Officer

Concur:



Edwin J. Cronin, Jr.
Chief Operating Officer

bcc: Floyd Thompson, UCSF
Lucy Molina, UCLA
Jeremy Trybulski