

# List of Works Cited

## *Cases*

- Ass'n for Molecular Pathology et al. v. United States Patent and Trademark Office et al., 702 F. Supp 2d 181 (S.D.N.Y. 2010), rev'd in part, 2011 U.S. App. Lexis 15649 (Fed. Cir, 2011).
- Board of Trustees of the Leland Stanford Junior University v Roche Molecular Systems, Inc., et al., 563 U. S. \_\_\_\_ (2011)
- Board of Trustees of the Leland Stanford Junior University v. Roche Molecular Systems, Inc. 583 F.3d 832 (Fed. Cir, 2008), aff'd 563 U.S. \_\_\_\_ (2011)
- Campbell Plastics Eng. v. Brownlee, 389 F.3d 1243, 1250 (Fed. Cir. 2004)
- Damond v. Chakrabarty, 447 U.S. 303 (1979).
- Fenn v. Yale Univ., 393 F. Supp. 2d 133, 141-4 (D. Conn. 2004)
- Filmtec Corporation v. Allied-Signal Inc., 939 F.2d 1568, 1572 (Fed. Cir. 1991)
- Univ. of Rochester v. G.D. Searle & Co., 358 F.3d 916, 929 (Fed. Cir, 2004)

## *Statutes and Regulations*

- 37 C.F.R. § 401.3(b) (2004)
- 37 C.F.R. § 401.6 (2006).
- FAR 27.302(b)(2)
- 15 U.S.C.A. § 3701 (2011)
- 35 U.S.C. §§ 101-103 (2008)
- 35 U.S.C. § 112 (2008)
- 35 U.S.C. §§ 200-203 (2009)
- 35 U.S.C. § 210 (2009)

## *Legislative Reports and Materials*

- GAO REP. NO. 09-742, at 10-11, *reprinted at* <http://www.gao.gov/htext/d09742html>
- H.R. CON. RES. 319, 109th Cong. (2005), at 2, *reprinted in* H.R. REP. NO. 109-409

- Arno, Peter and Davis, Michael: Why Don't We Enforce Existing Drug Price Controls? The Unrecognized and Unenforced Reasonable Pricing Requirements Imposed upon Patents Deriving in Whole or in Part from Federally Funded Research, 75 *TULANE L. REV.* 631, (2001)
- Boumil, Marcia and Berman, Harris: Revisiting the Physician/Industry Alliance: The Bayh-Dole Act and Conflict of Interest Management at Academic Medical Centers. 15 *MICH. STATE UNIV. OF MEDICINE & LAW J.* (2010)
- Bremer, Howard et al.: The Bayh-Dole Act and Revisionism Redux, at page 6, *Life Sciences Law & Industry*, Vol. 3, No. 17 (September 11, 2009)
- Eberle, Mary: March-In Rights Under the Bayh-Dole Act: Public Access to Federally Funded Research, 3 *MARQ. INTELL. PROP. L. REV.* 155 (1999)
- Eisenberg, Rebecca: Symposium on Regulating Medical Innovation: Public Research and Private Development: Patents and Technology Transfer in Government-Sponsored Research, 82 *VA. L. REV.* 1663 (1996)
- Hamilton, Clovia: University Technology Transfer and Economic Development: Proposed Cooperative Economic Development Agreements Under the Bayh-Dole Act, 36 *J. MARSHALL L. REV.* 397 (2003)
- Heller, Michael and Eisenberg, Rebecca: Can Patents Deter Innovation? The Anticommons in Biomedical Research, *Science*, Vol. 280, 1 May 1998
- Lowe, Robert A.: Who Develops a University Invention? The Impact of Tacit Knowledge and Licensing Policies, 31 *J. TECH. TRANSFER (Netherlands)* 415 (2006)
- McCabe, Kevin: Implications of the CellPro Determination on Inventions Made with Federal Assistance: Will the Government Ever Exercise its March-In Right? 27 *PUB. CONT. L.J.* 645 (1998)
- McGarey, Barbara & Levey, Annette: Patents, Products, and Public Health: An Analysis of the CellPro March-in Petition, 14 *BERKLEY TECH L.J.* 1095 (1999)
- Mireles, Michael: Adoption of the Bayh-Dole Act in Developed Countries: Added Pressure for a Broad Research Exemption in the United States?, 59 *ME. L. REV.* 259 (2007).
- Moore, Chester G.: Killing the Bayh-Dole Act's Golden Goose, 8 *TUL. L. J. TECH. & INTELL. PROP.* 151, (2006)
- Mowery, David et al.: The growth of patenting and licensing by U.S. universities: an assessment of the effects of the Bayh-Dole act of 1980, 30 *RES. POL. (ELSEVIER)* 99, (2001)
- Namikawa, Ryoichi: Intellectual property in R&D project under Japanese Bayh-Dole system, 9-1/2 *Int. J. Technology Transfer and Commercialisation* 9 (2010)
- Richard R. Nelson, Observations on the Post-Bayh-Dole Rise of Patenting at American Universities, 26 *J. TECH. TRANSFER* 13 (2001)
- Pulsinelli, Gary: Share and Share Alike: Increasing Access to Government-Funded Inventions Under the Bayh-Dole Act, 7 *MINN J.L. SCI. & TECH* 393 (2006)
- Rai, Arti and Eisenberg, Rebecca: The Public Domain: Bayh-Dole Reform and the Progress and Biomedicine, 66 *LAW AND CONTEMP. PROBS.* 289 (2003).
- Raubitschek, John and Latker, Norman: Reasonable Pricing – A New Twist for March-In Rights Under the Bayh-Dole Act, 22 *SANTA CLARA COMPUTER & HIGH TECH L.J.* 149 (2005)