

LAW OFFICES OF

ADAMS 3400

FISCHER, WILLIS AND PANZERHENRY G FISCHER
JOHN W WILLIS
IRVING R M PANZERDUPONT CIRCLE BUILDING
WASHINGTON 6, D C

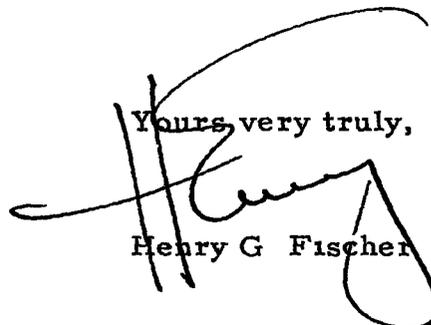
May 3, 1950

Mr. William F. Friedman
424 N. George Mason Drive
Arlington, Virginia

Dear Mr Friedman

Enclosed herewith are copies of the correspondence that
I promised to send to you.

Yours very truly,

A handwritten signature in black ink, appearing to read 'H. G. Fischer', written over the typed name.

Henry G Fischer

HGF el

CSJAGP 50/2227

6 APR 1950

Mr. Henry G. Fischer
Fischer, Willis and Panzer
Dupont Circle Building
Washington 6, D. C.

Dear Mr. Fischer:

Your letter of 10 March 1950 to the Secretary of Defense, together with inclosures, relating to certain pending United States patent applications on inventions made by Mr. William F. Friedman, Director of Communications Research, Defense Security Agency, and now retained in a secret status, has been referred to this office for necessary action and direct reply.

According to your letter the Government permitted Mr. Friedman, alone or together with his collaborators, to retain the commercial or foreign rights pertaining to these inventions.

Your letter also states that in view of the facts set forth therein, including Mr. Friedman's present illness and its effect upon his earning capacity, and your statement that the inventions in question probably will not be released from secrecy for many years, the question has arisen whether, in equity, an attempt is not warranted to have the Congress pass legislation authorizing the Department of Defense to purchase from Mr. Friedman such rights as the Government permitted him to retain in these inventions.

Pursuant to the request in your letter that a representative be designated to whom you would be authorized to present this matter in full and who would have the authority to ascertain and inform you of the disposition of the matter by the Department of Defense, you are informed that this office has been designated for this purpose.

This office is making a preliminary investigation of this matter as presented in your letter, above mentioned, in order that it may be better informed as to the facts and circumstances of the matter already of record before the desired further and more complete presentation thereof is made to this office. It is believed this will be to the advantage of all concerned and will expedite final disposition of the matter on behalf of the Department of Defense. This office will notify you, probably within the next week or two, when preliminary consideration of the matter has been completed.

Sincerely yours,

JAMES R. MILLS
Major, JAGC
Chief, Patents Division

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OFFICE OF THE SECRETARY OF DEFENSE

Washington

15 March 1950

Dear Mr. Fischer,

Reference is made to your letter of March 10 to the Secretary of Defense relative to patents on inventions by Colonel William F. Friedman, which you handed to me

After looking it over, it appears that this is a matter for the Army to handle since Colonel Friedman was a member of that service and his inventions pertain to an agency which was under the Army at the time in question

Under the National Security Act, the military departments are "administered separately by their respective secretaries" I am, therefore, referring your letter with its enclosures to the Secretary of the Army for his consideration and with the request that you be advised as to the proper office to which you could present the matter in full.

Yours very truly,

LEVEN C. ALLEN
Major General, USA
Executive Secretary

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FISCHER, WILLIS & PANZER

March 10, 1950

Hon. Louis A. Johnson
Secretary of Defense
Washington 25, D. C.

Dear Sir

This letter is written on behalf of Mr. William F. Friedman, Director of Communications Research, Defense Security Agency. He is ill and has received permission to retain us to pursue the matter about which this communication is concerned.

Mr. Friedman is responsible individually and in collaboration with others for the invention and development of systems and devices in the field of military communications which have proved to be of the utmost importance to the defense of our country. For his efforts in this direction, he has received the Medal for Merit from President Truman, and also the Commendation for Exceptional Civilian Service from Henry L. Stimson, Secretary of War. Copies of both are attached hereto.

In connection with these inventions, patent applications have been filed, the government allowing Mr. Friedman, alone with respect to some of the applications, and with collaborators with respect to others, to retain commercial and foreign rights. All of these patent applications have been placed in secrecy status, one of the inventions has been in secrecy now for over sixteen years and a second for over thirteen years. It is highly unlikely that any of the inventions will be released from secrecy, at least for a great many years to come.

It has already been indicated that Mr. Friedman is now ill and in the largest measure, his illness is due to the unusually severe strain imposed upon him by the nature of his work. Indeed, it is probable that his earning capacity has been permanently and heavily impaired. In the light of these facts, the question has arisen whether, in equity, an attempt is not warranted to obtain from the Congress an act authorizing the Department of Defense to purchase from Mr. Friedman all the rights he has been allowed to retain in the inventions which have been placed in secrecy status by the government for a token payment that would help in easing the concern he might have about his livelihood in the future, even though such a payment had little relation to the high value we understand such rights might have under different circumstances. There are precedents for such awards in the communications field, even in the absence of any property rights in the inventions.

It has occurred to us that the ordinary procedure in pursuing a matter such as this may not be available in this case because of the delicacy of the subject matter of the inventions involved. In any case we believe it to be best to discuss the matter with a representative of your office before proceeding further. It is therefore the purpose of this letter to request that you designate a representative to whom we would be authorized to present the matter in full and who in turn would have authority to ascertain and inform us of the disposition of the Department of Defense in that connection.

Because we have no way of knowing whether the Department wishes to treat this request in a manner not routine we are delivering this communication and attachments by hand to Major General Leven C Allen in order that we will not be in the position of having embarrassed you decision on that score.

Very truly yours

Henry G Fischer