

cc Dy Nicolson

Co De cember 1983

THE PRIME MINISTER

Than Sui Anstri

I thought you would be interested to see the enclosed Green Paper which I laid before Parliament today.

We met with Lord Cockfield in September 1982 to discuss the importance of intellectual property rights and I recall that you raised the subject again at my seminar at Lancaster House recently. Dr. Nicholson was asked to study whether the intellectual property rights system was best suited to encouraging innovation. The recommendations that he makes are intended to improve the awareness of the value and importance of those rights, their accessibility and their usage.

We shall be seeking comments widely and the Department of Trade and Industry will take the lead in formulating the Government's own views. I hope that you feel that the report is a useful contribution to this important, though too often overlooked, subject.

Lours sicerely Manganetshallen

Sir Austin Bide



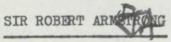
## 10 DOWNING STREET

Prime Minister

The Green Paper on Intellectual property rights is being published tomorrows (Tuesday). You may like to write to Sir Austin Bide about it, in view of his post involvement with this subject.

Jattach a drott which, it you agree, we will despatch as soon as the Question has been answered tomorrow. Ins

12 December 1983



REPORT: INTELLECTUAL PROPERTY RIGHTS AND INNOVATION

You will recall that the Prime Minister has agreed to lay this report before Parliament as a Green Paper (David Barclay's minute to me of 8 November). She has also approved an introductory statement which will go over her own signature.

- 2. Departments have subsequently been consulted on the final wording of the text and a number of small alterations have been made in order to correct factual errors. I have also modified the discussion of compulsory licensing (paragraphs 5.11 - 5.22) and of the Paris Convention (paragraphs 5.26 - 5.28) to exclude any advocacy of exclusive licences. Both FCO and DTI believe that any such advocacy, bearing the imprimatur of the Prime Minister, even though the introduction makes the Government's position clear, might make negotiations within the Paris Convention more difficult. It is not an essential part of the report and I have therefore omitted it. DTI believe that similar arguments apply to transfer of know-how (paragraph 5.18) but this is already embodied in some existing legislations abroad and would appear to be permitted within existing UK patent law. Moreover, the discussion is a major part of the line of argument of the report and I would not wish to lose it without more substantial reasons. I have therefore left the reference but further modified the material to reduce DTI's concern to a minimum.
- 3. The final text of the report has now gone to HMSO with a request that it be ready to be laid before Parliament by 20 December. I attach a copy. Any last-minute alterations can be accommodated at the proof stage on 14 December.
- 4. I also attach:

for David

INTELLECTUAL PROPERTY RIGHTS AND INNOVATION

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