



ACQUISITION AND  
TECHNOLOGY

## THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON  
WASHINGTON, DC 20301-3010

21 DEC 2001

### MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS DIRECTORS OF THE DEFENSE AGENCIES

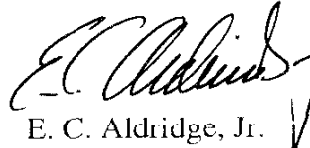
SUBJECT: Intellectual Property

Many commercial companies are reluctant to do business with the Department of Defense and most often cite treatment of intellectual property rights for that reluctance. Intellectual property rights, fundamental to capitalist markets, govern the protection of a firm's cutting-edge technologies. Future weapon systems depend on those technologies. The attached layperson's guide, *Intellectual Property; Navigating Through Commercial Waters*, was developed to address this issue and begin changing the DoD cultural mindset.

In years past, Government was the engine of research and development. Now, technologies shaping the economy are largely funded by commercial industry and we must foster an environment where industry is willing to share commercially generated technologies. It is essential that DoD understands that intellectual property rights represent a commercial firm's foundation for future success, and that every effort must be made to accommodate industry's protection concerns.

Much of the intellectual property mindset culturally embedded in the acquisition, technology, logistics, and legal communities is now obsolete. Few aspects of current law and regulation preclude us from attracting commercial industry to Defense markets. Unfortunately, DoD's traditional mindset and application do not adequately reflect the flexibility inherent in, and intended by, those very statutes and regulations.

I encourage you to widely distribute this guide. This tool can also be used to communicate to your contractors my intent to change current practices and actively promote more creative thinking within the framework of current regulations. This guide is available at [www.asq.osd.mil/ar](http://www.asq.osd.mil/ar). Feedback can be provided to Lt Col Gregory Redick, Office of Acquisition Initiatives, 703-697-6399, or [Gregory.Redick@osd.mil](mailto:Gregory.Redick@osd.mil).



E. C. Aldridge, Jr.

Attachment:  
As stated

