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Franklin Pierce Law Ctr(MIP)

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1980 , , 21 가
23) , 가

23) 1980 (Stevenson-Wydler Technology Innovation Act of 1980(PL 96-480))980 - (Bayh-Dole Act of 1980(PL96-517)) 1982 (Small Business Innovation Development Act of 1982(91-219))1984 (Cooperative Research Act of 1984(PL98-462)) 1984 (Trademark Clarification Act of 1984(PL98-620))1986 (Federal Technology Transfer Act of 1986(PL99-502)), 12591 12618 (Executive Order 12591 and 12618(1987)) , 1988 (Omnibus Trade and Competitiveness Act of 1988(PL100-418)), 1989 (National Institute of Standards and Technology Authorization Act for FY 1989(PL100-519)), 1989 가 (National Competitiveness Technology Transfer Act of 1989(PL101-189)), 1991 (Defense Authorization Act for FY 1991(FL101-510)),1991 (American Preeminence Act of 1991(PL 101-245), 1992 (Small Business Technology Transfer (STTR) Program 1992 (PL102-564)) 1993 가 (National Department of Defense Authorization Act for 1993(PL102-125)),1993 가 (National Department of Defense Authorization Act for FY 1993(PL 102-484), 1994 가 (National Department of Defense Authorization Act for 1994(PL 103-160)), 1995 가 (National Technology Transfer and Advancement Act of 1995(PL 104-13)), 1997 (Defense Authorization Act for 1997(PL 104-201)), 2000 (TechnologyTransferCommercialization Act of 2000(PL106-404)) Stevenson-Wydler (PL96-480) - (PL96-517) R&D, 가 . Stevenson-Wydler - .

21 가 ²⁴⁾ “ 가 ” 가 가 , WTO “ 2 ” 가 가 . (APST) 가 (OSTP: Office of Science & Technology Policy), 가 (NSTC:National Science and Technology Council)가 . (OSTP), 가 (NSTC), (OMB:Office of Management and Budget) (PCAST)가 . , 7 (, , , ,), 5 (NIA)가 . (NSF), (NASA), (EPA), (NRC), 가 (CRS), (GAO), (CBO)

2. 21 Article 1 Section 8 가 . 2002 6 4 , (USPTO)²⁵⁾ 21 , ‘21 (the 21st

24) 가 가 1993 2 2 “ (A Vision of Change for America and Technology for America's Economic Growth) ” 가 (A New Direction to Build Economic Strength) ” 가 . Bayh-Dole Act. Jan.2006, MIP(Management of Intellectual Property),p.30

(the Patent Public Advisory Committee and the Trademark Public Advisory Committee)²⁹⁾

2002 7

2002 6 21

USPTO 2003 4 3

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(Standing Committee on Law of Patents),

(Standing

Committee on Trademarks)

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, WIPO

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(WCT) WIPO

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3. (Pro-Patent Policy³⁰⁾)

1980

(pro-patent)

(Board on Science 1999, 23-24).

1) 1980

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. 1984

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2) 1980 Diamond v. Chakrabarty,

).

3) 1982

(CAFC) : 1982

CAFC

29) (Patent Public Advisory Committee P-PAC) USPTO 2000 .p-PAC 9 가 3

30) Nagata Akiya(), , 16 7 20 .p.11-12.

31) THE BAYH-DOLE ACT, A GUIDE TO THE LAW AND IMPLEMENTING REGULATIONS September 1999

1970 가 .
 1980 가 .
 (CAFC) .
³⁴⁾ .
 , 가 .
 1980 .
 , 가 .
 (Shenefield & Stelzer 2003,87). (FTC : Federal Trade Commission) 2003 10
 28 . 가 가 ,

• 2007. 1

32) 1912 Henry v. A.B. Dick & Co. . A.B. Dick . A.B. Dick
 (tying-in clause) .
 가 , .
 33) 1917 A.B. Dick , Motion Picture Co. v Universal Film Mfg. Co. 가
 il ' 가 (tie-in) 가
 가 .
 34) 1980 Diamond v Chakrabarty, . 1981 Diamond v Diehr. “
 101 ” .