

Steenbock  
releases  
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[a Release?] Statement of George I. Haight, re *Dedication of Steenbock Patents*  
President of the Board of Trustees of the Wisconsin Alumni Research Foundation

Issued from Rookery Building, Chicago 4, Illinois

On January 11, 1946, the Wisconsin Alumni Research Foundation dedicated to the public the widely known Steenbock patents relating to the production of Vitamin D by irradiation with ultra-violet light. All litigation on these patents, including suits in California and Illinois, has been terminated.

In dedicating the Steenbock patents, the Foundation was motivated by several considerations. Litigation on the Steenbock patents has been long continued and expensive. After a decision upholding the patents in California District Court, on appeal this decision was reversed by the United States Court of Appeals for the Ninth Circuit. That court first wrote an opinion adverse to the patents. It later withdrew that opinion although on quite different grounds. The Supreme Court of the United States in October, 1945, finally refused to review this ruling.

In litigation in Chicago, the government, in 1944, sought to intervene as a party in order to present charges of anti-trust law violation. The Foundation welcomed the opportunity to have these charges thoroughly investigated and was quite prepared to meet any legal criticisms leveled against it in the handling of the Steenbock patents. The Foundation not only did not oppose government intervention in the suit but aided it in becoming a party.

The main Steenbock patent expired on August 13, 1945. Certain foreign patents had previously expired. There remained living only some quite specific patents in this country and the Canadian patents.

The refusal of the Supreme Court to review the California decision was in no wise a passing upon the merits of the patents. Its failure to issue the writ of certiorari only meant that the cause was not considered by it one presenting issues of such legal consequence that it should review it. Royalties on the Steenbock patents, including the fundamental one now expired, had been repeatedly reduced by the Foundation until the amount involved was not large. Practices charged by the government to violate the anti-trust laws, although always considered proper in every respect by the Foundation and its legal advisors, were all largely abandoned long prior to the making of those charges by the government.

Dedication of the patents and termination of the litigation does not carry with it any admission of any wrong doing by the Foundation or its licensees. These issues have not been adjudicated by the court. The litigation, with the government a party, would have been protracted and costly. The Foundation's Trustees, whose aim is to aid the University of Wisconsin in its research program in the field of the natural sciences, concluded that the tens of thousands of dollars in expense that the litigation would involve, would be better employed if given to the University for scientific research.

Dedication of the patents can have no appreciable effect upon the availability or the price to the public of Vitamin D and Vitamin D products. Foundation royalties are and for years have been so low that their entire elimination can scarcely be reflected in prices to the consumer. Vitamin D is today the cheapest of the known vitamins, based upon well established daily requirements for those vitamins. Recently the Foundation's royalty on sufficient Vitamin D to supply a baby with two and a half times his normal daily requirement of Vitamin D for a period of nearly three years has been one cent. Likewise, the Foundation's royalties on the Vitamin D in a bottle of 100 multivitamin tablets or capsules, retailing for \$2.50 to \$7.00 has been 1/20th of a cent.

Dedication of the Steenbeck patents does not mean discontinuance of the Foundation's operations. It is handling, and will continue to handle as heretofore, several other inventions which are producing substantial income for the University of Wisconsin. It is anticipated that in the future other important inventions will be assigned to and developed by it.

In pursuit of its undertakings the Foundation has acquired a site in Madison, Wisconsin, upon which it is planning to erect at least two buildings, one a modern and well equipped laboratory for continuance of the Foundation's control work in the testing of vitamin and other products and for research in new fields. It is expected that it will continue to serve the University for many years to come.