

NATIONAL SCIENCE FOUNDATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

ACTION MEMORANDUM

TO: AIGI

File Number: I-99060020

Date: 12/19/01

Subject: Case Closeout

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This is a *qui tam* case filed under the civil False Claims Act (31 U.S.C. §§ 3729 *et seq.*), United States ex rel. MJ Research, Inc. v. Applera Corp. et al. The only connection to NSF is the allegation that U.S. Patent No. 5,171,534 was actually reduced to practice during the period of NSF grant 8500298, giving the federal government certain rights under the Bayh-Dole Act (35 U.S.C. §§ 200 *et seq.*; 45 C.F.R. part 650). However, the licensee provided compelling evidence that in fact the invention was reduced to practice by the licensee before the NSF grant was awarded. Although the Department of Justice continues to assess intervention, and the relator continues to pursue the case, there are no remaining substantive issues relevant to NSF funding or activities. Accordingly, the case is closed.

Name:	Prepared by:	Cleared by:		
	Agent:	Attorney:	Supervisor:	AIGI
Signature & date:				

