

March 26, 1979

Mr. D. A. Newell
Manager, Patent Division
Chemicals, Processes and Products
Chevron Research Company
P.O. Box 7643
San Francisco, CA 94120

Dear Mr. Newell:

✓
HTA cc ✓

We have reviewed your January 8, 1979 letter on both sides of the Atlantic in the context of the ICI/Chevron paraquat agreements. While we certainly agree that Chevron has rights to formulate, use and sell paraquat products containing the emetic, we do not agree that Chevron has rights under the agreements to manufacture or have manufactured the emetic itself.

ICI expects to be able to meet worldwide demand for all appropriate uses of the emetic at reasonable prices for the foreseeable future. However, we do not, at present, have any plan to license manufacture of the emetic.

I have reviewed our commercial policy with Mr. A. G. Bates, Vice President & General Manager of our Agricultural Chemicals Division. He has asked me to indicate that if Chevron obtains the necessary approval for paraquat formulations containing emetic, it would be ICI's intention to supply emeticized paraquat under our distributorship agreement. We trust this is sufficient assurance of ICI's intent and that Chevron will rigorously pursue the registration of paraquat formulations containing emetic.

Yours very truly,

John M. Sheehan
John M. Sheehan

JMS:raj

MR. D. B. BARLOW: ←

Please note. I am not satisfied.

J. A. BUCHANAN, JR.
3/29/79

DAN:bc
cc: Mr. E. L. Stripling, Jr.

Wilmington, Delaware 19897 Phone (302) 575-5000

CHEVRON CHEMICAL CO. ORTHO DIV. R & D DEPT.	
APR 3 '79	
Rie	APR 11 1979
J. Abert	
C. M. Crutchfield	
A. V. Dearman	
H. G. Franke	
M. Garbett	
L. Hopkins	
B. W. McKinney	
C. R. Rejus	
L. R. Stezer	
O. R. Vasak	
R & D FILES	

L.H.
APR 11 1979

January 8, 1979

Mr. John M. Sheehan
Patent Department
ICI Americas, Inc.
Wilmington, Delaware 19897

Dear Mr. Sheehan:

I recently took the opportunity to review the ICI/Chevron paraquat agreements and in particular the license agreement. This review was prompted in part by the work that ICI and Chevron are proceeding with for registration in the United States of the paraquat-emetic formulation. I am aware of ICI patents on the paraquat-emetic formulation and the emetic per se.

The license agreement grants Chevron royalty-free rights under ICI's and ICI/US's Patent Rights and Technical Information to formulate or have formulated, use, and sell PARAQUAT in the U.S. It is my view that under the license agreement Chevron has rights to manufacture, use, and sell paraquat formulations containing emetic as well as rights to manufacture or have manufactured the emetic for use in such formulations, and I have so advised Chevron Chemical Company. Although Chevron does not presently envision manufacturing the emetic, but rather intends to purchase from ICI, nevertheless, if the emetic is not reasonably available to Chevron through ICI for any reason whatsoever Chevron will still be able to secure the emetic through its own manufacture.

I trust this is also ICI's understanding of the license agreement and would appreciate your concurrence.

Very truly yours,

Original Signed
DIX A. NEWELL

DAN:gaj

cc: Mr. D. B. Barlow ←
Mr. J. N. Ospenson

bcc: Mr. J. O'M. Tingle
Mr. A. P. Brown
Mr. G. M. Doppelt
Mr. E. L. Stripling, Jr.
Mr. T. G. DeJonghe


