

ETHYL GASOLINE CORPORATION

CHRYSLER BUILDING
405 LEXINGTON AVENUE

NEW YORK

GRAHAM EDGAR
DIRECTOR OF RESEARCH

September 17, 1940

Dr. Robert A. Kehoe
University of Cincinnati
College of Medicine
Eden Avenue
Cincinnati
Ohio

My dear Bob:

Thanks very much for your letter of September 7th enclosing a copy of your memorandum to Dr. Thompson. You have asked for comments on this memorandum and I shall be glad to give them.

There are two points in which I think that you have stated the case perhaps a little more strongly than we would have done in New York although I do not know that Dr. Thompson will misinterpret them. One of these is exemplified in the first sentence and is implied several times later. I refer to the phrase, "have given the Ethyl Gasoline Corporation complete control of all operations and full responsibility for all hygienic measures necessary for the safety of workmen". From a legal standpoint, the Ethyl Gasoline Corporation has never felt that it had control of the blending operations and in our refiners licenses, we disclaim all responsibility for anything that might happen except from proven negligence on our part. This may seem to you to be too legalistic but I merely mention it in order to keep the records straight.

The second point is that your memorandum might give the impression of an admission on our part that our operating patents will expire shortly. It is true that the decision of the Supreme Court by implication at least questions the validity of the broad use patent which expires in 1947. However, this is an implication only since the decision of the Court pointed out that the validity of the patents was not in consideration. True, certain manufacturing patents begin to expire within the next couple of years although there are detail patents which have a longer life. Certain use patents also expire in 1943 but we certainly cannot regard it as established that the broad use patent expiring in 1947 is invalid although it doubtless may be attacked in the courts

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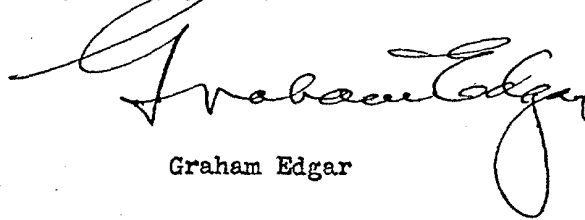
after 1943.

I am wondering if you have anything definite in mind in the second sentence of the second paragraph on page (3), suggesting as having the Public Health Service requesting the States to pass laws relating to the operation of the tetraethyl lead industry.

Certainly the problem of control of the industry from the standpoint of the public health will be more complicated in the future than in the past and deserves thought on the part of all of us.

With kindest personal regards, believe me,

Very truly yours,

A handwritten signature in cursive script, appearing to read "Graham Edgar". The signature is fluid and extends across the width of the text block.

Graham Edgar

EJ

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