

Senator Barbara Mikulski  
Washington, DC  
503 Hart Senate Office Building  
Washington, D.C. 20510



December 14, 2012

Dear Senator Mikulski:

I am a small business owner and a constituent living in Frederick, Maryland. I need your assistance.

In 2010, we started a small business in Frederick. We received the help of Maryland TEDCO in starting up our company. The business is built on a patented technology I developed. The technology deals with risk management and the safety and security of the food supply. We have invested over \$6M in developing the technology and a software system to use it. Until recently we employed five people.

Over the past two years, we have been closely coordinating every step of our development work with the Food and Drug Administration (FDA). On several occasions we have given the FDA demonstrations of the new product we have built called Food Defense Architect™. Food Defense Architect is a software system that is designed to help food companies build their own plans for protecting the food they produce and handle from intentional poisoning and other security risks including terrorist attacks. Because our technology is patented, we offered to let FDA license our patent for FDA use for \$1.00 a year.

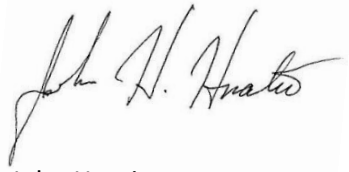
Recently, however, we learned that the people we were working with at the FDA secretly took our ideas and are now working with Battelle Memorial Institute under a multi-million dollar government contract to re-build their own FDA software system using our ideas. I have recently had to lay off our entire staff because industry is now looking to the Food and Drug Administration and the government instead of our company to provide the solution even though we have an existing and patented system. This is particularly disturbing to me because of the tremendous personal sacrifices my employees have made to make our business a success. For example, one member of our team is a 70% disabled military veteran who gave up everything in order to join our company.

On Wednesday (December 12, 2012) of this week we were scheduled to participate in a Food and Drug Administration workshop with industry to solicit industry feedback on the new food security tool being developed by FDA with Battelle. Just before the meeting we were specifically disinvited from participating by FDA. FDA told the host of the meeting we would not be allowed to attend because they (FDA) did not want to endorse any particular company's product. But the attendee list included other companies such as Tyco Integrated Systems that we know produces security systems software just like we do.

We do not understand why the FDA is investing millions of taxpayer dollars to do what we have already done. We do not understand why the FDA would specifically disinvite us from important industry meetings where other competing private sector companies are allowed to attend. We do not understand how the government can take our ideas and patent in this way. Why is this happening?

Senator Mikulski we respectfully request your help to arrange for a meeting with Ms. Elizabeth Dickinson who is a lawyer and the Chief Counsel at FDA. I am sure that when we get the chance to explain the situation personally to her that she will work with us to try and resolve the issue so that my employees can come back to work as soon as possible.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John Hnatio". The signature is written in a cursive style with a long, sweeping tail on the final letter.

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