



Florida Department of Transportation

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JOSÉ ABREU
SECRETARY

MEMORANDUM

DATE: June 20, 2005
TO: Specification Review Distribution List
FROM: Duane F. Brautigam, P.E., State Specifications Engineer
SUBJECT: **Proposed Specifications Change: 3370261-Asphalt Concrete Friction Courses-Notice of Patented Process**

In accordance with Specification Development Procedures, we are sending you a copy of a proposed specification change to Asphalt Concrete Friction Courses-Notice of Patented Process.

This change was proposed by Jim Musselman of the State Materials Office to delete reference to the patent for mineral fiber currently held by Fiberand, which expires in August 2005.

Please share this proposal with others within your responsibility. Review comments are due within four weeks and should be sent to Mail Station 75 or to my attention via e-mail at SP965DB or duane.brautigam@dot.state.fl.us. Comments received after July 18, 2005 may not be considered. Your input is encouraged.

DFB/sh

Attachment

COMMENTS:

Submitted by:

Phone #:

**ASPHALT CONCRETE FRICTION COURSES-NOTICE OF PATENTED
PROCESS.
(REV 6-13-05)**

SUBARTICLE 337-2.6.1.1 (of the Supplemental Specifications) is deleted.

~~**337-2.6.1.1 Notice of Patented Process:** Take notice that the use of mineral fibers treated with cationic sizing agent and the size analysis range for average fiber thickness are subject to U.S. Patent No. 4,613,376, held by Fiberand Corporation, 7150 Southwest 62nd Avenue, South Miami, FL. 33143. Obtain all mineral fibers required to meet the FC 5 requirements of this Contract only from Fiberand Corporation or a duly authorized licensee of Fiberand. Assume responsibility, pursuant to 7-3, for obtaining any and all necessary rights to use such processes and pay any and all royalties, license fees or other costs incurred in order to meet the FC 5 requirements of this Contract. Include any and all royalties, license fees and other costs arising due to the existence of U.S. Patent No. 4,613,376 in the bid unit price for friction course FC 5.~~