

3. The Parties shall ensure that, for each Joint Research Activity, the Participants shall jointly develop a Technology Management Plan (hereinafter referred to as the "TMP") in respect of the ownership and use of Intellectual Property rights that may be developed or created in the course of the Joint Research Activity. The TMP shall be developed by the Participants taking into account the applicable legislation of the Parties, including legislation relating to the transfer or export of controlled Information, goods or services; the aims of the Joint Research Activity; and the relative financial or other contribution of each Party and its Participants.
4. With respect to Intellectual Property, the TMP shall address: ownership; protection; user rights and obligations for research and development; exploitation and dissemination, including arrangements for joint publication; the rights and obligations of visiting researchers (*i.e.*, researchers not coming from either Party or one of its Participants), including the allocation to and acquisition by Participants of rights and obligations in respect of Intellectual Property generated by visiting researchers; and dispute settlement procedures, including arbitration where appropriate.
5. Intellectual Property rights generated by a Joint Research Activity, the allocation and acquisition of which has not been addressed in the TMP, shall be allocated, to the largest extent possible on the basis of the principles set out in the relevant TMP, as jointly decided in writing by the Participants.
6. Each Party shall take all reasonable measures to ensure that, in its territory, the other Party and its Participants shall be able to exercise the Intellectual Property rights allocated to them in accordance with this Annex and the Agreement.

### ARTICLE 3

#### **Publication of Research Results of a Joint Research Activity**

1. Without prejudice to Article 2 of this Annex, and unless otherwise agreed in the TMP concerned, publication of results of a Joint Research Activity shall be effected jointly by the Parties or Participants in a Joint Research Activity.