

covered by any patent and incorporated in any reactors and/or parts thereof or material or non-nuclear parts of atomic weapons system transferred pursuant to Articles III and IV for use by the licensed Party for the purposes set forth in Paragraph C of Article VI.

2. The transferring Party neither warrants nor represents that any reactors and/or parts thereof or material or non-nuclear parts of atomic weapons systems transferred pursuant to Article III and IV do not infringe any patent owned or controlled by other persons and assumes no liability or obligation with respect thereto, and the recipient Party agrees to indemnify and hold harmless the transferring Party from any and all liability arising out of any infringement of any such patent.

C. With respect to any invention or discovery, or patent application or patent thereon, or license or sub-license therein covered by Paragraph A of this Article, each Party:

1. may, to the extent of its right, title and interest therein, deal with the same in its own and third countries as it may desire, but shall in no event discriminate against citizens of the other Party in respect of granting any license or sub-license under the patents owned by it in its own or any other country;

2. hereby waives any and all claims against the other Party for compensation, royalty or award, and hereby releases the other Party with respect to any and all such claims.

D. 1. No patent application with respect to any classified invention or discovery employing classified information which has been communicated or exchanged pursuant to Article II, or derived from the reactors and/or parts thereof or material or non-nuclear parts of atomic weapons systems transferred pursuant to Articles III or IV, may be filed:

(a) by either Party or any person in the country of the other Party except in accordance with agreed conditions and procedures; or

(b) in any country not a party to this Agreement except as may be agreed and subject to Articles VII and VIII.

2. Appropriate secrecy or prohibition orders shall be issued for the purpose of giving effect to this paragraph.

E. Detailed procedures shall be jointly established to effectuate the foregoing provisions, and all situations not specifically covered shall be settled by mutual agreement governed by the basic principle of equivalent benefits to both Parties.

## ARTICLE XI

### *Previous Agreements for Co-operation*

Effective from the date on which the present Agreement enters into force, the co-operation between the Parties being carried out under or envisaged by the Agreement for Co-operation Regarding Atomic Information for Mutual Defense Purposes, which was signed at Washington on June 15, 1955, and by Paragraph B or Article II [bis] of the Agreement for Co-operation concerning Civil Uses of Atomic Energy, which was signed at Washington on June 15, 1955, as amended by the Amendment signed at Washington on June 26, 1956, shall be carried out in accordance with the provisions of the present Agreement.