

ARTICLE 9

Use and Dissemination of Information of a Confidential Nature

1. Information transmitted or created under this Agreement which a cooperating entity considers to be of a confidential nature should be clearly defined and identified as such through appropriate marking or otherwise.
2. Cooperating entities should protect information covered by this Article in accordance with the domestic law applicable to the cooperating entity receiving the information.
3. Subject to the domestic law applicable to the cooperating entity receiving the information of a confidential nature, that cooperating entity should not divulge or transmit such information to a third party not directly involved with the implementation of this Agreement without the written permission of the cooperating entity that provided the information.
4. If a cooperating entity is unable to guarantee that it will not divulge such information covered by this Article, or if it has reason to believe that it will be unable to do so, it should immediately notify the other cooperating entities that are likely to be affected and these cooperating entities should consult to identify an appropriate solution.

ARTICLE 10

Claims

1. Each Party shall waive all claims it may have against the other Party based on damage arising out of the implementation of this Agreement.