

NATIONAL POLICY. A NON-DISCRIMINATION CLAUSE IN THE AGREEMENT BINDS EACH GOVERNMENT TO GRANT LICENCES TO NATIONALS OF THE OTHER GOVERNMENTS ON THE SAME TERMS ACCORDED ITS OWN NATIONALS.

THE AGREEMENT IS EXPECTED TO BE OF PARTICULAR BENEFIT TO THE GROWING PRIVATE ATOMIC ENERGY INDUSTRIES IN EACH OF THE SIGNATORY COUNTRIES BY ELIMINATING QUESTIONS OF PATENT INFRINGEMENT. FIRMS ENGAGING IN HOME MANUFACTURE WILL NEED LICENCES ONLY FROM THEIR OWN GOVERNMENTS AND, IN VIEW OF THE AGREEMENT'S ANTI-DISCRIMINATION PROVISION, FIRMS OF ONE COUNTRY ENGAGING IN BUSINESS IN ONE OR BOTH OF THE OTHER COUNTRIES CANNOT BE DISCRIMINATED AGAINST BY THE GOVERNMENTS OF THE OTHER COUNTRIES.

ALL INVENTIONS AND DISCOVERIES WHICH ARE THE SUBJECT OF GOVERNMENT-OWNED PATENTS OR PATENT APPLICATIONS AS OF NOVEMBER 15, 1955, ARE AFFECTED. THESE ARE OF TWO CLASSES:

ONE GROUP IS MADE UP OF INVENTIONS KNOWN AS "CPC" (COMBINED POLICY COMMITTEE) INVENTIONS WHICH AROSE OUT OF WARTIME COLLABORATION AMONG THE THREE GOVERNMENTS. IN THESE CASES, THE INVENTORS ASSIGNED THEIR RIGHTS TO THE GOVERNMENTS EMPLOYING THEM, AND THE PATENT RIGHTS OBTAINED OR APPLIED FOR WERE HELD IN TRUST PENDING SETTLEMENT OF THE INTERESTS OF THE THREE GOVERNMENTS.

THE SECOND AFFECTED GROUP ARE INVENTIONS AND DISCOVERIES WHICH, THOUGH WITHIN THE COOPERATIVE ARRANGEMENT, WERE DEVELOPED INDEPENDENTLY AND ARE OWNED BY ONE GOVERNMENT.

THE CUT-OFF DATE OF NOVEMBER 15, 1955, WAS SELECTED AS A MATTER OF CONVENIENCE. THE INTENT OF THE AGREEMENT IS THAT THE INTERCHANGE OF RIGHTS SHALL COVER THE PERIOD DURING WHICH ATOMIC ENERGY OPERATIONS WERE LARGELY A GOVERNMENT MONOPOLY IN EACH OF THE THREE COUNTRIES. THE AGREEMENT DOES NOT COMMIT THE GOVERNMENTS FOR THE FUTURE.

"CPC" INVENTIONS TOTAL ABOUT 50, AND PATENT APPLICATIONS HAVE BEEN FILED ON MANY OF THEM IN ALL THREE COUNTRIES. THE NUMBER OF PATENTS OR PATENT APPLICATIONS RELATING TO WORK CARRIED ON INDEPENDENTLY OF THE WARTIME COOPERATIVE ARRANGEMENT AMOUNTS TO SEVERAL HUNDRED. MOST OF THE APPLICATIONS ARE STILL CLASSIFIED, AND THIS CONSIDERATION HAS LIMITED THE NUMBER OF PATENTS ISSUED SO FAR.