

**ANNEX ON INTELLECTUAL PROPERTY RIGHTS
THAT ARISE FROM THE RESULTS OF JOINT
RESEARCH ACTIVITY**

ARTICLE 1

Application

1. Each Party shall ensure that the other Party and its Participants are given the opportunity to obtain the rights to Intellectual Property conferred to them by or in accordance with this Annex.
2. This Annex does not alter or prejudice any Intellectual Property right conferred to a Party or its nationals or Participants, which is governed by the laws and practices of that Party.

ARTICLE 2

Intellectual Property Rights Arising from Joint Research Activity

1. The terms used in this Annex have the same meaning as those defined in Article 2 of the Agreement.
2. Each Party shall:
 - (a) notify the other Party within a reasonable time of the creation of any Intellectual Property right that arises from a Joint Research Activity undertaken pursuant to this Agreement and shall, as appropriate, seek protection for that Intellectual Property right, within its respective jurisdiction and pursuant to its domestic legislation; and
 - (b) ensure that any Participant from the other Party receives treatment no less favourable than that afforded under applicable international law in respect of Intellectual Property.
3. The Parties shall ensure that, for each Joint Research Activity, the Participants jointly develop a Technology Management Plan (a "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 must take into account the applicable legislation of the Parties, which includes legislation relating to the transfer or export of controlled Scientific Information, goods or services; the aims of the Joint Research Activity; and the relative financial or other contribution of each Party and its Participants.