

(5) The Council may in individual cases approve a deviation from the policies prescribed in paragraphs (2)(b) and (4), where in the course of negotiation it is demonstrated to the Council that failure to deviate would be detrimental to the interests of the Organization.

(6) The Council may also, in individual cases where exceptional circumstances warrant, approve a deviation from the policy prescribed in paragraph (3) where all the following conditions are met:

- (a) It is demonstrated to the Council that failure to deviate would be detrimental to the interests of the Organization.
- (b) The Council determines that the Organization should be able to ensure patent protection in any country.
- (c) Where, and to the extent that, the contractor is unable or unwilling to ensure such patent protection within the time required.

(7) With respect to inventions and technical information in which rights are acquired by the Organization otherwise than pursuant to paragraph (2), the Organization, to the extent that it has the right to do so, shall upon request:

- (a) Disclose or have disclosed such inventions and technical information to any Party or Signatory subject to reimbursement of any payment made by or required of the Organization in respect of the exercise of this right of disclosure.
- (b) Make available to any Party or Signatory the right to disclose or have disclosed to others within the jurisdiction of any Party and to use and to authorize and to have authorized such others to use such inventions and technical information:
 - (i) Without payment in connexion with the INMARSAT space segment or any earth station on land or ship operating in conjunction therewith.
 - (ii) For any other purpose, on fair and reasonable terms and conditions to be settled between Signatories or others within the jurisdiction of any Party and the Organization or the owner of the inventions and technical information or any other authorized entity or person having a property interest therein, and subject to reimbursement of any payment made by or required of the Organization in respect of the exercise of these rights.

(8) The disclosure and use, and the terms and conditions of disclosure and use, of all inventions and technical information in which the Organization has acquired any rights shall be on a non-discriminatory basis with respect to all Signatories and others within the jurisdiction of Parties.

(9) Nothing in this Article shall preclude the Organization, if desirable, from entering into contracts with persons subject to domestic laws and regulations relating to the disclosure of technical information.