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Ichiro Fujiyama
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MACARTHUR II

GREECE

Interchange of Patent Rights and Technical Information for Defense Purposes: Filing Classified Patent Applications

- *Agreement effected by exchange of notes
Signed at Athens April 26, 1960;
Entered into force April 26, 1960.*

The American Ambassador to the Greek Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Athens, April 26, 1960

No. 355

EXCELLENCY:

I have the honor to refer to the Agreement between the Government of the United States of America and the Government of Greece to Facilitate Interchange of Patent Rights and Technical Information for Defense Purposes, which was signed in Athens on June 16, 1955,^[1] and to the discussions between representatives of our two Governments regarding procedures for the reciprocal filing of classified patent applications under the terms of Articles III and VI of this Agreement. I attach a copy of the procedures prepared during the course of these discussions and agreed to by these representatives.

I am now instructed to inform you that the enclosed procedures have been agreed to by the Government of the United States of America. I would appreciate it if you would confirm that they are also acceptable to your Government. Upon receipt of such confirmation, my Government will consider that these procedures shall thereafter govern the reciprocal filing of classified patent applications, in accordance with the terms of the aforesaid Agreement.

Please accept, Excellency, the renewed assurances of my highest consideration.

ELLIS O. BRIGGS

Enclosure:

Copy of Procedures.

His Excellency

M. EVANGHELOS AVEROFF-TOSSIZZA,
*Minister for Foreign Affairs,
Athens.*

¹ TIAS 3286; 6 UST 2173.

PROCEDURES FOR RECIPROCAL FILING OF
CLASSIFIED PATENT APPLICATIONS IN
THE UNITED STATES OF AMERICA
AND GREECE

1. *General*

The following procedures are in implementation of Article III of the Agreement between the Government of the United States of America and the Government of Greece to Facilitate Interchange of Patent Rights and Technical Information for Defense Purposes which was signed and entered into force on June 16, 1955. The purpose of these procedures is to facilitate the filing of patent applications involving classified subject matter of defense interest, by inventors of one country in the other country, and to guarantee adequate security in such other country for the inventions disclosed by such applications. These procedures are based upon the following understandings with respect to basic security requirements:

(a) Each Government has authority within its jurisdiction to impose secrecy on an invention of defense interest which it considers to involve classified subject matter.

(b) The authority of each Government, when acting as the originating Government, to impose, modify or remove secrecy orders shall be exercised only at the request, or with the concurrence, of national defense officials of that Government, or pursuant to criteria established by national defense agencies, of that Government.

(c) Secrecy orders shall apply to the subject matter of the inventions concerned, and prohibit unauthorized disclosure of the same by all persons having access thereto.

(d) Adequate physical security arrangements shall be provided in all Government departments, including Patent Offices, handling inventions of defense interest and all persons in these departments and offices required to handle such inventions shall have been security cleared.

(e) Each Government shall take all possible steps to prevent unauthorized foreign filing of patent applications which may involve classified subject matter of defense interest.

(f) Permission for foreign filing of a patent application involving classified subject matter of defense interest shall remain discretionary with each Government.

(g) The recipient Government shall assign to the invention involved a classification corresponding that given in the country of origin and shall take effective measures to provide security protection appropriate to such classification.

(h) Where patent applications covered by a secrecy order are handled by patent agents or attorneys in private practice, arrangements shall be made for the security clearance of these agents or attor-

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neys and such of their employees who may be involved prior to their handling such applications or information relating thereto, as well as for adequate physical security measures in their offices.

(i) When secrecy has been imposed on an invention in one country and the inventor has been given permission to apply for a patent in the other country, all communications regarding the classified aspects of the invention shall pass through diplomatic or other secure channels.

2. *Applications Originating in the United States*

The following provisions shall apply when, for defense purposes, a United States patent application has been placed in secrecy under the provisions of Title 35, United States Code, Section 181,^[1] and the applicant wishes to file a corresponding application in Greece:

(a) The applicant shall petition the United States Commissioner of Patents for modification of the secrecy order to permit filing in Greece. This petition will be prepared in conformance with paragraph 5.5 of Part 5, Title 37, Code of Federal Regulations, the provisions of which are incorporated herein by reference.

(b) Permission to file a classified patent application in Greece is conditional upon the applicant agreeing to:

- (1) Make the invention involved and such information relating thereto as may be necessary for its proper evaluation for defense purposes available to the Greek Government for purposes of defense;
- (2) Waive any right to compensation for damage which might arise under the laws of Greece by virtue of the mere imposition of secrecy on his invention in Greece, but reserving any right of action for compensation provided by the laws of Greece for use by the Greek Government of the invention disclosed by the application or for unauthorized disclosure of the invention in Greece.

(c) Upon obtaining permission to file in Greece, the applicant shall forward the documents for the Greek application to the defense agency which initiated the secrecy order.

(d) The defense agency shall transmit, through diplomatic channels, the documents received from the applicant, simultaneously, as follows:

- (1) One copy to the Military Attache at the Greek Embassy in the United States for use by the Greek Government for defense purposes; and

¹ 66 Stat. 805.

(2) One copy to the appropriate section of the American Embassy in Greece. The letter transmitting the documents to the American Embassy in Greece shall indicate the security classification given to the application in the United States; state that the invention involved and such information relating thereto as was necessary for its proper evaluation for defense purposes has been made available to the Greek Government for purposes of defense, and state that the applicant has authorization to file a corresponding application in Greece under the provisions of Title 35, United States Code, Section 184. It shall also include instructions for the Embassy to inquire of appropriate Greek Ministry of National Defense officials as to whether the Greek attorney designated by the applicant is security cleared in accordance with the provisions of subparagraph 1(h), supra.

(e) If the designated attorney is not security cleared, the Greek Ministry of National Defense shall so inform the appropriate section of the American Embassy, which shall forward such information to the United States defense agency which initiated the secrecy order. It shall then be necessary for the designated attorney to become security cleared, if time permits, or for the patent applicant to select another attorney and submit his name through the United States defense agency to the American Embassy in Greece.

(f) When a security cleared patent attorney has been designated, the Embassy shall transmit the documents to the appropriate Greek Ministry of National Defense officials who will notify the patent attorney of the availability of the documents for processing.

(g) After completion of the necessary processing of the documents by the patent attorney under Ministry of National Defense Control, the appropriate Greek Ministry of National Defense officials shall then file the application in the Greek Patent Office, and notify the patent attorney of the serial number and filing date of the Greek application.

(h) The Government of Greece shall then place the application in secrecy.

(i) The applicant shall submit as soon as possible to the initiating agency the serial number and filing date of the foreign application.

3. *Applications Originating in Greece*

The following provisions shall apply when, for defense purposes, a Greek patent application involving classified subject matter of defense interest has been placed in secrecy under the provisions of Greek law, and the applicant wishes to file a corresponding application in the United States:

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a) The applicant shall send a written request to the Greek Minister of National Defense asking permission to file such an application in the United States.

(b) Permission to file a classified patent application in the United States shall be conditional upon the applicant agreeing to:

(1) Make the invention involved and such information relating thereto as may be necessary for its proper evaluation for defense purposes available to the United States Government for purposes of defense;

(2) Waive any right to compensation for damage which might arise under the laws of the United States by virtue of the mere imposition of secrecy on his invention in the United States, but reserving any right of action for compensation provided by the laws of the United States for use by the United States Government of the invention disclosed by the application or for unauthorized disclosure of the invention in the United States.

(c) Upon obtaining permission to file in the United States, the applicant shall forward to the Greek Ministry of National Defense, four copies of the United States patent application, all in conformance with Greek security regulations.

(d) The Greek Ministry of National Defense shall retain one copy and transmit, through diplomatic channels, the remaining documents received from the applicant, simultaneously, as follows:

(1) One copy to the Military Attache in the American Embassy in Greece for use by the United States Government for defense purposes; and

(2) Two copies to the Military Attache at the Greek Embassy in the United States. The letter transmitting the documents to the Military Attache at the Greek Embassy in the United States shall indicate the security classification given to the application or patent in Greece and state that the invention involved and such information relating thereto as was necessary for its proper evaluation for defense purposes has been made available to the United States Government for purposes of defense, in accordance with provisions of Title 35, United States Code, Section 181-188, inclusive. It shall also include instructions for the Military Attache to inquire of the Secretary, Armed Services Patent Advisory Board, Patents Division, Office of the Judge Advocate General, Department of the Army, Washington 25, D.C., as to whether the American attorney or agent designated by the applicant is security cleared in accordance with the provisions of subparagraph 1(h), supra.

(e) If the designated attorney or agent is not security cleared, the Secretary, Armed Services Patent Advisory Board, shall so inform the Military Attache, who shall forward such information to the Greek Ministry of National Defense. It shall then be necessary for the designated attorney or agent to become security cleared, if time permits, or for the patent applicant to select another attorney or agent and submit his name through the Greek Military Attache to the Secretary of the Armed Services Patent Advisory Board.

(f) When a security cleared attorney or agent has been designated, the Greek Military Attache shall transmit the documents to him by personal delivery or in any other manner consistent with United States security regulations. The designated attorney or agent shall then file the application in the United States Patent Office and shall forward to the Secretary of the Armed Services Patent Advisory Board a copy of the application as filed, as well as a copy of the document issued by the Greek Government to the patent applicant permitting him to file in the United States.

(g) The Government of the United States shall then place the application in secrecy.

4. *Subsequent Correspondence Between Applicant and Foreign Patent Office*

(a) All subsequent correspondence of a classified nature between an applicant in either country and the patent office in the other country shall be through the same channels as outlined for the original application.

(b) Unclassified formal notifications such as statements of fees, extensions of time limits, etc., may be sent by the patent offices directly to the applicant or his authorized representative without any special security arrangements.

5. *Removal of Secrecy*

(a) A secrecy order shall be removed only on the request of the originating Government.

(b) The originating Government shall give the other Government at least six weeks' notice of its intention to remove secrecy and shall take into account, as far as possible, any representations made by the other Government during this period.

6. *Notification of Changes in Laws and Regulations*

Each Government shall give the other Government prompt notice through the Technical Property Committee of any changes in its laws or regulations affecting these procedures.

Greek Minister for Foreign Affairs to the American Ambassador

MINISTÈRE ROYAL
DES AFFAIRES ÉTRANGÈRES

N° 18977

ATHENS, April 26, 1960

EXCELLENCY:

I have the honour to acknowledge the receipt of your letter of to-day N° 355 transmitting a copy of the procedures for the reciprocal filing of classified patent applications under the terms of Articles III and VI of the Agreement between the Government of the United States of America and the Government of Greece to Facilitate Interchange of Patent Rights and Technical Information for Defense Purposes.

These procedures were prepared during the course of recent discussions between representatives of our two Governments and I am now in a position to confirm that they are acceptable to my Government. The Government of Greece considers therefore that, upon receipt of this letter by Your Excellency, the aforementioned procedures will thereafter govern the reciprocal filing of classified patent applications, in accordance with the terms of the aforesaid Agreement.

Please accept, Excellency, the renewed assurances of my highest consideration.—

E AVEROFF TOSSIZZA

His Excellency

The Honorable ELLIS O. BRIGGS

*Ambassador of the United States of America
Athens.*

GREECE

Interchange of Patent Rights and Technical Information for Defense Purposes

*Agreement signed at Athens June 16, 1955;
Entered into force June 16, 1955.*

TIAS 3286
June 16, 1955

AGREEMENT TO FACILITATE INTERCHANGE OF
PATENT RIGHTS AND TECHNICAL INFORMATION FOR DEFENSE
PURPOSES

The Government of the United States of America and
the Government of Greece,

Desiring generally to assist in the production of
equipment and materials for defense, by facilitating and
expediting the interchange of patent rights and technical
information; and

Acknowledging that the rights of private owners of
patents and technical information should be fully recog-
nized and protected in accordance with the law applicable
to such patents and technical information;

Have agreed as follows:

ARTICLE I

Each contracting Government shall, whenever practi-
cable without undue limitation of, or impediment to,
defense production, facilitate the use of patent rights,
and encourage the flow and use of privately-owned technical
information, as defined in Article VIII, for defense
purposes -

- (a) through the medium of any existing commercial
relationships between the owner of such patent
rights and technical information and those in
the other country having the right to use such
patent rights and technical information; and
- (b) in the absence of such existing relationships,

ΣΥΜΦΩΝΙΑ ΠΕΡΙ ΔΙΕΥΚΟΛΥΣΕΩΣ
ΤΗΣ ΑΝΤΑΛΛΑΓΗΣ ΔΙΚΑΙΩΜΑΤΩΝ ΕΥΡΕΣΙΤΕΧΝΙΑΣ ΚΑΙ
ΤΕΧΝΙΚΩΝ ΠΛΗΡΟΦΟΡΙΩΝ ΔΙ' ΑΜΥΝΤΙΚΟΥΣ ΣΚΟΠΟΥΣ

Ἡ Κυβέρνησις τῶν Ἠνωμένων Πολιτειῶν τῆς Ἀμερικῆς
καί ἡ Κυβέρνησις τῆς Ἑλλάδος,

Ἐπιθυμοῦσαι γενικῶς ὅπως ὑποβοηθήσωσι τήν παραγωγὴν
ἐφοδῶν καὶ ὑλικῶν ἀμύνης, διὰ τῆς διευκολύνσεως καὶ ἐπι-
ταχύνσεως τῆς ἀνταλλαγῆς δικαιωμάτων εὐρεσιτεχνίας καὶ
τεχνικῶν πληροφοριῶν, καὶ

Ἀποδεχόμεναι ὅτι τὰ δικαιώματα ἰδιωτῶν κατόχων
διπλωμάτων εὐρεσιτεχνίας καὶ τεχνικῶν πληροφοριῶν θὰ ἔδει
νὰ ἀναγνωρίζωνται πλήρως καὶ νὰ προστατεύωνται συμφώνως
πρὸς τοὺς ἐπὶ τοιούτων δικαιωμάτων εὐρεσιτεχνίας καὶ
τεχνικῶν πληροφοριῶν ἐφαρμοζομένους νόμους,
Συνεφώνησαν ἐπὶ τῶν ἀκολούθων

ἈΡΘΡΟΝ Ι

Ἐκάστη τῶν Συμβαλλομένων Κυβερνήσεων, ὁσῆκτις τοῦτο
εἶναι δυνατόν, ἀνευ περιορισμοῦ ἢ παρεμποδίσεως τῆς ἀμυντικῆς
παραγωγῆς, θὰ διευκολύνῃ τήν δι' ἀμυντικούς σκοπούς χρῆσιν
δικαιωμάτων εὐρεσιτεχνίας καὶ θὰ ἐνθαρρύνῃ τήν κυκλοφορίαν
καὶ χρῆσιν τῶν ὑπὸ ἰδιωτῶν κατεχομένων τεχνικῶν πληροφοριῶν,
ὡς αὗται καθορίζονται εἰς τὸ ἄρθρον VIII:

- (α) διὰ τῆς χρησιμοποιήσεως τῶν ὑφισταμένων πᾶσης φύσεως
ἐμπορικῶν σχέσεων, μεταξὺ τοῦ κατόχου τοιούτων δικαι-
ωμάτων εὐρεσιτεχνίας καὶ τεχνικῶν πληροφοριῶν καὶ
ἐκεῖνων οἵτινες, εἰς τὴν ἑτέραν χώραν, ἔχουσι τὸ
δικαίωμα χρήσεως τῶν περὶ ὧν πρόκειται δικαιωμάτων
εὐρεσιτεχνίας καὶ τεχνικῶν πληροφοριῶν, καὶ
- (β) μὴ ὑπαρχουσῶν τοιούτων σχέσεων,

through the creation of such relationships by the owner and the user in the other country, provided that, in the case of classified information, such arrangements are permitted by the laws and security requirements of both Governments, and provided further that the terms of all such arrangements shall remain subject to the applicable laws of the two countries.

ARTICLE II

When, for defense purposes, technical information is supplied by one Contracting Government to the other for information only, and this is stipulated at the time of supply, the recipient Government shall treat the technical information as disclosed in confidence and use its best endeavors to ensure that the information is not dealt with in any manner likely to prejudice the rights of the owner thereof to obtain patent or other like statutory protection therefor.

ARTICLE III

When technical information made available, under agreed procedures, by one Contracting Government to the other for the purposes of defense discloses an invention which is the subject of a patent or patent application held in secrecy in the country of origin, similar treatment shall be accorded a corresponding patent application filed in the other country.

ARTICLE IV

- (a) Where privately-owned technical information
- (1) has been communicated by or on behalf of the owner thereof to the Contracting Government of the country of which he is

διὰ τῆς συστάσεως τοιούτων μεταξὺ τοῦ κατόχου καὶ τοῦ ἔχοντος τὸ δικαίωμα χρήσεως εἰς τὴν ἑτέραν χώραν, ὑπὸ τὴν προϋπόθεσιν ὅτι, προκειμένου περὶ ἐμπιστευτικῆς φύσεως πληροφοριῶν, οἱ νόμοι καὶ αἱ ἀνάγκαι ἀσφαλείας ἀμφοτέρων τῶν Κυβερνήσεων ἐπιτρέπουν παρομοίας συμφωνίας, καὶ ὑπὸ τὴν πρόσθετον προϋπόθεσιν, ὅτι οἱ ὅροι τῶν τοιούτων συμφωνιῶν θὰ ὑπόκεινται εἰς τοὺς ἰσχύοντας νόμους τῶν δύο χωρῶν.

ΑΡΘΡΟΝ ΙΙ

Ὁσάκις, δι' ἀμυντικούς σκοπούς, θὰ παρέχεται ὑπὸ τῆς μιᾶς τῶν Συμβαλλομένων Κυβερνήσεων πρὸς τὴν ἑτέραν, τεχνικὴ τις πληροφορία μόνον πρὸς κατατοπισμὸν ταύτης, τούτου συμφωνουμένου κατὰ τὸν χρόνον τῆς παροχῆς τῆς πληροφορίας, ἢ δεχομένη τὴν τεχνικὴν πληροφορίαν Κυβέρνησις θὰ χειρίζεται ταύτην ὡς ἐμπιστευτικῶς παρασχεθεῖσαν καὶ θὰ καταβάλλῃ πᾶσαν προσπάθειαν ὅπως ἐξασφαλισθῇ ἢ μὴ χρησιμοποίησις τῆς πληροφορίας ταύτης καθ' οἷονδήποτε τρόπον δυνάμενον νὰ παραβιάσῃ τὰ δικαιώματα τοῦ ἔχοντος τὴν κυριότητα αὐτῆς διὰ τὴν ἀπόκτησιν σχετικοῦ διπλώματος εὑρεσιτεχνίας ἢ ἄλλης, ἀναλόγου, νομίμου προστασίας.

ΑΡΘΡΟΝ ΙΙΙ

Ὁσάκις, ἢ διὰ συμπεφωνημένης διαδικασίας παρεχομένη, δι' ἀμυντικούς σκοπούς, ὑπὸ μιᾶς τῶν Συμβαλλομένων Κυβερνήσεων πρὸς τὴν ἑτέραν, τεχνικὴ πληροφορία ἀποκαλύπτει ἐφεύρεσιν ἀποτελοῦσαν τὸ ἀντικείμενον διπλώματος εὑρεσιτεχνίας, ἢ αἰτήσεως πρὸς ἀπόκτησιν διπλώματος εὑρεσιτεχνίας τηρουμένης ἀπορρήτου ἐν τῇ χώρᾳ τῆς προελεύσεως αὐτῆς, θὰ παρέχεται παρομοία μεταχειρίσις εἰς ἀντίστοιχον αἴτησιν διπλώματος εὑρεσιτεχνίας ὑποβαλλομένην εἰς τὴν ἑτέραν χώραν.

ΑΡΘΡΟΝ ΙV

- (α) Ἐν ἡ περιπτώσει, τεχνικὴ πληροφορία ἀνήκουσα εἰς ἰδιώτην,
(1) ἔχει ἀνακοινωθῆ ὑπὸ τοῦ κατόχου ταύτης ἢ ἐξ ὀνόματος τούτου, εἰς τὴν Συμβαλλομένην Κυβέρνησιν τῆς χώρας ἧς

a national and

(ii) is subsequently disclosed by that Government to the other Contracting Government for the purposes of defense and is used or disclosed by the latter Government without the express or implied consent of the owner,

the Contracting Governments agree that, where any action is paid to the owner by the Contracting Government first receiving the information, such payment shall be without prejudice to any arrangements which may be made between the two Governments regarding the assumption as between them of liability for compensation. The Technical Property Committee established under Article VI of this Agreement will discuss and make recommendations to the Governments concerning such arrangements.

(b) When, for the purposes of defense, technical information is made available by a national of one Contracting Government to the other Government at the latter's request and use or disclosure is subsequently made of that information for any purpose whether or not for defense, the recipient Government shall, at the owner's request, take such steps as may be possible under its laws to provide prompt, just, and effective compensation for such use or disclosure to the extent that the owner may be entitled thereto under such laws.

ARTICLE V

When one Contracting Government, or an entity or agency owned or controlled by such Government, owns or has the right to grant a licence to use an invention and that invention is used by the other Government for defense purposes, the using Government shall be entitled to use

ούτος έχει την εθνικότητα, και

- (2) αποκαλύπτεται αυτή, άκολούθως, δι' άμυντικούς σκοπούς, υπό της Κυβερνήσεως ταύτης εις την έτέραν των Συμβαλλομένων Κυβερνήσεων και χρησιμοποιείται ή αποκαλύπτεται υπό της τελευταίας ταύτης άνευ ρητής ή έξυκακουμένης συγκαταθέσεως του κατόχου αυτής,

αί Συμβαλλόμεναι Κυβερνήσεις συμφωνούν ότι εις τας περιπτώσεις εις τας όκοίαις καταβάλλεται εις τον κάτοχον αυτής άποζημίωσις υπό της Συμβαλλομένης Κυβερνήσεως, ήτις τό πρώτον έλαβε την πληροφορίαν, ή τοιαύτη καταβολή δέν θέλει παραβλέψη οίανδήποτε συμφωνίαν μεταξύ των δύο Κυβερνήσεων, ως προς την έκατέρωθεν άνάληψιν της ύποχρεώσεως προς άποζημιώσιν. Η βάση του άρθρου VI της παρούσης συμφωνίας συνιστωμένη Έπιτροπή Τεχνικής Ίδιοκτησίας, θέλει συζητή και προβάλη εις συστάσεις επί των τοιούτων συμφωνιών προς άμοτέρας τας Κυβερνήσεις.

(β) Όσοκις, δι' άμυντικούς σκοπούς, τεχνική τις πληροφορία τίθεται υπό προόπου έχοντος την εθνικότητα μιās των Συμβαλλομένων Κυβερνήσεων εις την διάθεσιν της έτέρας Κυβερνήσεως, τή αίτήσεται της τελευταίας ταύτης, και, έν συνεχεία, γίνεται χρήσις ή αποκάλυψις της περί ής πρόκειται πληροφορίας, δι' οίονδήποτε, άμυντικών ή μη, σκοπόν, ή δεχομένη την πληροφορίαν Κυβέρνησις θέλει λάβη, τή αίτήσεται του κατόχου ταύτης, άπαντα τά έκ της νομοθεσίας της δυνατά μέτρα, προς παροχήν ταχείας, δικαίας και ούσιαστικής άποζημιώσεως διά την τοιαύτην χρήσιν ή αποκάλυψιν, έν ψ μέτρω θα έδικαιοῦτο εις τοῦτο ο κάτοχος της πληροφορίας βάσει της σχετικής νομοθεσίας.

ΑΡΘΡΟΝ V

Όσοκις μία των Συμβαλλομένων Κυβερνήσεων ή νομικόν τι πρόσωπον ή οργανισμός άνήκων εις αυτήν ή έλεγχόμενος παρ' αυτής, κατέχει έφεύρεσιν ή έχει τό δικαίωμα παροχής άδείας χρησιμοποίησεως ταύτης, ή έφεύρεσις δε αυτή χρησιμοποιείται υπό της έτέρας Κυβερνήσεως δι' άμυντικούς σκοπούς, ή χρησιμοποιούσα την έφεύρεσιν Κυβέρνησις θα έχη τό δικαίωμα να χρησιμοποιή

the invention without cost, except to the extent that there may be liability to a private owner with established interests in the invention.

ARTICLE VI

Each Contracting Government shall designate a representative to meet with the representative of the other Contracting Government to constitute a Technical Property Committee. It shall be the function of this Committee:

- (a) To consider and make recommendations on such matters relating to the subject of this Agreement as may be brought before it by either Contracting Government.
- (b) To make recommendations to the Contracting Governments concerning any question, brought to its attention by either Government, relating to patent rights and technical information which arises in connection with the mutual defense program.
- (c) To assist, where appropriate, in the negotiation of commercial or other agreements for the use of patent rights and technical information in the mutual defense program.
- (d) To take note of pertinent commercial or other agreements for the use of patent rights and technical information in the mutual defense program, and, where necessary, to obtain the views of the two governments on the acceptability of such agreements.
- (e) To assist, where appropriate, in the procurement of licenses and to make recommendations, where

ταύτην ανεξιδώς, κλην εν τῷ μέτρῳ ὑφίσταται τυχόν ὑποχρέωσις
έναντι τοῦ μετ'ἀνεγνωρισμένων ἐπ'αὐτῆς συμφερόντων ἰδιώτου,
κατόχου τῆς ἐφευρέσεως.

ΑΡΘΡΟΝ VI

Ἐκδότη τῶν Συμβαλλομένων Κυβερνήσεων θά ὀρίσῃ ἀντιπρόσωπον
αὐτῆς ἵνα οὗτος, ὁμοῦ μετὰ τοῦ ἀντιπροσώπου τῆς ἑτέρας Κυβερνή-
σεως, ἀποτελέσῃ Ἐπιτροπὴν Τεχνικῆς Ἰδιοκτησίας. Τῆς Ἐπιτροπῆς
ταύτης ἀρμοδιότης θά εἶναι:

- (α) Νά ἐξετάσῃ καί νά προβάλῃ εἰς συστάσεις ἐπὶ ἀφορώντων
τῶ ἀντικείμενον τῆς παρούσης συμφωνίας ζητημάτων ἅτινα
ἤθελον τυχόν τεθῆ ὑπ'ὄψιν αὐτῆς παρ'ἐκατέρας τῶν Συμβαλ-
λομένων Κυβερνήσεων.
- (β) Νά προβάλῃ εἰς συστάσεις πρὸς τὰς Συμβαλλομένας Κυβερ-
νήσεις ἐπὶ οἰουδήποτε, παρ'ἐκατέρας αὐτῶν τιθεμένου
ὑπ'ὄψιν αὐτῆς ζητήματος σχετικοῦ πρὸς δικαιώματα εὑρε-
σιτεχνίας καί τεχνικῆς πληροφορίας, ἐν σχέσει πρὸς τὸ
πρόγραμμα ἀμοιβαίας ἀμύνης.
- (γ) Νά παρέχῃ, ὅσκις ἐνδεκνυται, τὴν συνδρομὴν αὐτῆς
εἰς διαπραγματεύσεις ἐμπορικῶν ἢ ἄλλης φύσεως συμφωνιῶν,
περὶ τῆς χρήσεως δικαιωμάτων εὑρεσιτεχνίας καί τεχνικῶν
πληροφοριῶν ἐν τῷ προγράμματι ἀμοιβαίας ἀμύνης.
- (δ) Νά λαμβάνῃ σημείωσιν τῶν οἰκείων ἐμπορικῆς ἢ ἄλλης
φύσεως συμφωνιῶν περὶ τῆς χρήσεως δικαιωμάτων εὑρεσιτε-
χνίας καί τεχνικῶν πληροφοριῶν ἐν τῷ προγράμματι ἀμοι-
βαίας ἀμύνης, καί νά καταπιστῆται, ὅσκις τοῦτο εἶναι
ἀναγκαῖον, ἐπὶ τῶν ἀπόψεων τῶν δύο Κυβερνήσεων, ὡς πρὸς
τὸ ἀποδεκτὸν τοιούτων συμφωνιῶν.
- (ε) Νά ὑποβοηθῇ, ὅσκις ἐνδεκνυται, τὴν χορήγησιν ἀδειῶν
καί νά προβάλῃ, ὅσκις παρίσταται πρὸς τοῦτο ἀνάγκη,
εἰς συστάσεις ὡς πρὸς τὴν πληρωμὴν ἀποζημιώσεων δι'ἐφευ-
ρέσεις χρησιμοποιοιμένας ἐν τῷ προγράμματι ἀμοιβαίας
ἀμύνης.

appropriate, respecting payment of indemnities covering inventions used in the mutual defense program.

- (f) To encourage projects for technical collaboration between and among the armed services of the two Contracting Governments and to facilitate the use of patent rights and technical information in such projects.
- (g) To keep under review all questions concerning the use, for the purposes of the mutual defense program, of all inventions which are, or hereafter come, within the provisions of Article V.
- (h) To make recommendations to the Contracting Governments, either with respect to particular cases or in general, on the means by which any disparities between the laws of the two countries governing the compensation for or otherwise concerning technical information made available for defense purposes might be remedied.

ARTICLE VII

Upon request, each Contracting Government shall, as far as practicable, supply to the other Government all necessary information and other assistance required for the purposes of:

- (a) affording the owner of technical information made available for defense purposes the opportunity of protecting and preserving any rights he may have in the technical information; and
- (b) assessing payments and awards arising out of the use of patent rights and technical information made available for defense purposes.

- (στ) Νά ἐνθαρρύνῃ σχέδια τεχνικῆς συνεργασίας μεταξὺ τῶν ὑπηρεσιῶν τῶν Ἑνόπλων Δυνάμεων τῶν δύο Συμβαλλομένων Κυβερνήσεων καὶ νά διευκολύνῃ τὴν συναφῆ χρῆσιν δικαιωμάτων εὐρεσιτεχνίας καὶ τεχνικῶν πληροφοριῶν.
- (ζ) Νά ἀσκή μόνιμον ἐποπτεῖαν ἐφ' ὄλων τῶν ζητημάτων τῶν ἀφορώντων τὴν χρησιμοποίησιν διὰ τοὺς σκοποὺς τοῦ προγράμματος ἀμοιβαίας ἀμύνης, ὄλων τῶν ἐφευρέσεων αἰτινες ἐμπέκτουσιν ἢ ἤθελον ἐμπέση μελλοντικῶς εἰς τὰς διατάξεις τοῦ Ἀρθροῦ V.
- (η) Νά προβαλῆν εἰς συστάσεις πρὸς τὰς Συμβαλλομένας Κυβερνήσεις, εἴτε εἰς εἰδικὰς περιπτώσεις εἴτε γενικῶς, ἐπὶ τοῦ τρόπου καθ' ὃν θὰ ἦτο δυνατόν νά θεραπευθῶσιν αἱ τυχόν ὑφιστάμεναι ἀσυμφωνίαι μεταξὺ τῶν νομοθεσιῶν τῶν δύο χωρῶν τῶν διεκουσῶν τὰς ἀποζημιώσεις ἢ ἄλλως πως ἀφορῶσιν τὰς δι' ἀμυντικούς σκοποὺς χρησιμοποιουμένας τεχνικὰς πληροφορίας.

ΑΡΘΡΟΝ VII

Ἐκάστη τῶν Συμβαλλομένων Κυβερνήσεων θὰ παρέχῃ, ἐφ' ὅσον τοῦτο εἶναι δυνατόν, εἰς τὴν ἑτέραν, τῇ αἰτήσῃ ταύτης, πᾶσαν ἀναγκαίουσαν πληροφορίαν ἢ ἀπαιτουμένην βοήθειαν ἐπὶ τῷ σκοπῷ ὅπως:

- (α) παρέχεται εἰς τὸν κάτοχον παρασχεθείσης, δι' ἀμυντικούς σκοποὺς, τεχνικῆς πληροφορίας, ἢ δυνατότης προστασίας καὶ διαφυλάξεως οἰωνόηποτε δικαιωμάτων, ἅτινα οὗτος τυχόν κέκτηται ἐπὶ τῆς τεχνικῆς πληροφορίας, καὶ
- (β) καθορίζονται αἱ πληρωμαὶ καὶ ἀμοιβαὶ αἱ πηγάζουσαι ἐκ τῆς χρήσεως τῶν δι' ἀμυντικούς σκοποὺς παρεχομένων δικαιωμάτων εὐρεσιτεχνίας καὶ τεχνικῶν πληροφοριῶν.

ARTICLE VIII

- (a) "Technical information" as used in this Agreement means information originated by or peculiarly within the knowledge of the owner thereof and those in privity with him and not available to the public.
- (b) The term "use" includes manufacture by or for a Contracting Government.
- (c) Nothing in this Agreement shall apply to patents, patent applications and technical information in the field of atomic energy.
- (d) Nothing in this Agreement shall contravene present or future security arrangements between the Contracting Governments.

ARTICLE IX

- (a) This Agreement shall enter into force on the date of signature.
- (b) The terms of this Agreement may be reviewed at any time at the request of either Contracting Government.
- (c) This Agreement shall terminate six months after notice of termination by either Contracting Government but without prejudice to obligations and liabilities which have then accrued pursuant to the terms of this Agreement.

In witness whereof the undersigned, being duly authorized thereto by their respective Governments, have signed the present Agreement.

Done in duplicate at Athens this sixteenth day of June, 1955.

CAVENDISH W CANNON

STEPHANOPOULOS

[SEAL]

[SEAL]

ΑΡΘΡΟΝ VIII

- (α) Ὁ ὅρος "Τεχνική πληροφορία", ὡς χρησιμοποιεῖται εἰς τὴν παροῦσαν Συμφωνίαν, σημαίνει πληροφορίαν προερχομένην ἐκ τοῦ κατόχου αὐτῆς ἢ οὖσαν προσωπικῶς γνωστὴν μόνον εἰς αὐτόν καὶ εἰς πρόσωπα ἔχοντα μετ' αὐτοῦ κοινὰ ἔννομα συμφέροντα καὶ μὴ δοθεῖσαν εἰς δημοσιότητα.
- (β) Ὁ ὅρος "χρήσις" περιλαμβάνει τὴν ὑπὸ μιᾶς τῶν Συμβαλλομένων Κυβερνήσεων, ἢ διὰ λογαριασμόν ταύτης, βιομηχανικὴν κατασκευὴν.
- (γ) Οὐδέμια τῶν διατάξεων τῆς παρούσης Συμφωνίας θὰ ἔχῃ ἐφαρμογὴν ἐπὶ διπλωμάτων εὐρεσιτεχνίας, αἰτήσεων πρὸς ἀψὶν διπλώματος εὐρεσιτεχνίας καὶ τεχνικῶν πληροφοριῶν, εἰς τὸν τομέα τῆς ἀτομικῆς ἐνεργείας.
- (δ) Οὐδέμια τῶν διατάξεων τῆς παρούσης Συμφωνίας θὰ θεωρηθῶσι ἀντικειμένη πρὸς ὑφισταμένας ἢ συνασθησομένας μεταξὺ τῶν Συμβαλλομένων Κυβερνήσεων συμφωνίας ἀσφαλείας.

ΑΡΘΡΟΝ ΙΧ

- (α) Ἡ παρούσα Συμφωνία θέλει ἰσχύσῃ ἀπὸ τῆς ἡμερομηνίας τῆς ὑπογραφῆς της.
- (β) Αἱ διατάξεις τῆς παρούσης Συμφωνίας δύνανται νὰ ἀναθεωρηθῶσιν ὅποτεδήποτε, τῇ αἰτήσῃ ἑκατέρας τῶν Συμβαλλομένων Κυβερνήσεων.
- (γ) Ἡ παρούσα Συμφωνία θέλει τερματισθῆ ἕξ μῆνας μετὰ τὴν περὶ τερματισμοῦ ταύτης προειδοποίησιν παρ' ἑκατέρας τῶν Συμβαλλομένων Κυβερνήσεων, χωρὶς ὅμως ἐκ τούτου νὰ θιγῶνται ὑποχρεώσεις καὶ δεσμεύσεις ἀναληθεῖσαι κατ' ἐφαρμογὴν τῶν ὄρων τῆς παρούσης Συμφωνίας.

Εἰς πίστωσιν τῶν ἀνωτέρω, οἱ ὑπογεγραμμένοι, θεόντως ἐξουσιοδοτημένοι ὑπὸ τῶν οἰκείων αὐτῶν Κυβερνήσεων, ὑπέγραψαν τὴν παροῦσαν Συμφωνίαν.

Ἐγένετο εἰς Βικλοῦν, ἐν Ἀθήναις, τῇ δεκάτῃ ἕκτῃ Ἰουνίου, 1955.

CAVENDISH W CANNON

STEPHANOPOULOS

[SEAL]

[SEAL]

TIAS 3286