



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Application Serial No. _____

SECRECY ORDER

[Title 35, United States Code (1952), Sections 181-186]

Notice: To the applicant(s), heirs of applicant(s), and any and all assignees, attorneys and agents, hereinafter designated principals.

You are hereby notified that your application as above identified has been found to contain subject matter, the unauthorized disclosure of which might be detrimental to the national security, and you are ordered in nowise to publish or disclose the invention or any material information with respect thereto, including hitherto unpublished details of the subject matter of said application in any way to any person not cognizant of the invention prior to the date of this order, including any employee of the principals, but the keep the same secret except by written consent first obtained of the Commissioner of Patents and Trademarks, under the penalties of 35U.S.C. (1952) 182, 186.

Any other application already filed or hereafter filed which contains any significant part of the subject matter of the above identified application falls within the scope of this order. If such other application does not stand under a secrecy order, it and the common subject matter should be brought to the attention of Licensing and Review at the U.S. Patent and Trademark Office. If, prior to the issuance of the secrecy order, any significant part of the subject matter has been revealed to any person, the principals shall promptly inform such person of the secrecy order and the penalties for improper disclosure.

This order should not be construed in any way to mean that the Government has adopted or contemplates adoption of the alleged invention disclosed in this application; nor is it any indication of the value of such invention.

The secrecy order may be renewed for additional periods of not more than one year upon notice by a government agency that the national interest so requires.

THIS ORDER IS EXCEPTED FROM THE PROVISIONS OF ANY GENERAL PERMITS.

- Questions regarding the substantive examination of the patent application should be directed to the patent examiner assigned to this application.
- All questions regarding the substance of the secrecy order should be directed to:

**U.S Department of Energy
Office of the Assistant General Counsel for Patents, GC-42
1000 Independence Avenue, N.W.
Washington, D.C. 20585
Attention: Betty Winchester (202) 586-2810**

- Questions pertaining to the administrative handling of the application or the Secrecy Order should be directed to the Licensing and Review Branch of the Patent & Trademark Office. Telephone: 571-272-6617; Fax: 571 273-0314.

**Mail Stop L&R
Commissioner of Patents
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450**

Hand-carried correspondence should be delivered between the hours of 9:00am and 4:30pm to: Technology Center 3600, Room 4B31, 501 Dulany Street (Knox Building), Alexandria Virginia, 22134.

for
Donald T. Hajec
Director, Technology Center 3600
(571)-272-5150



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Application Serial No. _____

SECURITY ORDER

35 U.S.C. §§181-188

The above-identified patent application contains subject matter the unauthorized disclosure of which would, in the opinion of the sponsoring defense agency be detrimental to the national security.

ALL PRINCIPALS¹ IN THIS APPLICATION ARE ORDERED TO KEEP THE SUBJECT MATTER THEREOF IN SECURITY UNDER 35 U.S.C. §181.

The subject matter of this application may not be published or disclosed to any person except as specifically authorized herein or subsequently authorized by written modification of this Security Order granted by the Commissioner of Patents & Trademarks (see 37 CFR §5.5).

Unauthorized publication or disclosure of the subject matter of this patent application may result in abandonment of the application (35 U.S.C. §182) and additionally subject the person publishing or disclosing the subject matter to the penalties of 35 U.S.C. § 186.

The subject matter of this application must be safeguarded under conditions that will provide adequate protection and prevent access by unauthorized persons. When copies of the subject matter are no longer needed, they should be destroyed by a method that will prevent disclosure of the contents or reconstruction of the document.

The subject matter of this application may not be disclosed to any person except as authorized herein without written modification of this Security Order by the Commissioner of Patents & Trademarks.

This Order should not be construed in any way to mean that the U.S. Government has adopted or contemplates adoption of the invention disclosed in this application and it is

¹ "Principals" include all patent applicants, their heirs, assignees, licensees and their attorneys and agents.

not any indication of the value of such invention. Additionally, this Order is not an indication in and of itself that the subject matter of this application is or should be classified.

Any other patent application already or hereafter filed in the U.S. or any foreign country which contains any significant part of the subject matter of the above-identified patent application also falls within the scope of this Order. If such other patent application is not currently under a Secrecy Order imposed by the U.S. Patent and Trademark Office, it and the common subject matter must be brought to the immediate attention of:

Mail Stop L&R
Commissioner of Patents
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

This Secrecy Order was recommended to the Commissioner of Patents & Trademarks by the following sponsoring defense agency:

- ARMY
- NAVY
- AIR FORCE
- HOMELAND SECURITY
- _____

- Questions regarding the reasons for imposing this Secrecy Order should be directed to the sponsoring defense agency. A contact for each defense agency is attached.
 - Questions regarding the substantive examination of the patent application should be directed to the patent examiner
 - Questions pertaining to the administrative handling of the application or the Secrecy Order should be directed to the Licensing and Review Branch of the Patent & Trademark Office at Telephone: 571-272-6617; Fax: 571 273-0314.
 - Hand-carried correspondence should be delivered between the hours of 9:00am and 4:30pm to: Technology Center 3600, Room 4B31, 501 Dulany Street (Knox Building), Alexandria Virginia, 22134.
-

Attachments (if checked):

- Permit for Disclosing Subject Matter to Government Employees and Other Specified Persons ("Permit A")

Attachment

("Permit A")

Permit for Disclosing to Government Employees and Other Specified Persons

The principals designated in this Order are authorized to disclose the subject matter to any person of the classes hereafter specified if such person is known to the principal disclosing to be concerned-directly-in an-official-capacity with-the subject matter provided that all reasonable safeguards are taken to otherwise protect the invention from unauthorized disclosure. The specified classes are:

- any officer or employee of any department, independent agency or bureau of the Government of the United States; or
- any person designated specifically by the head of any department, independent agency or bureau of the Government of the United States, or by his duly authorized subordinate, as a proper individual to receive the subject matter.

Principals under this Order are further authorized to disclose the subject matter of this application to the minimum necessary number of persons of known loyalty and discretion, employed by or working with the principals or their licensees and whose duties involve cooperation in the development, manufacture or use of the subject matter by or for the Government of the United States, provided such persons are advised of the issuance of this Order.

The provisions of this permit do not in any way lessen responsibility for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and national security.

for

Donald T. Hajec
Director, Technology Center 3600
(571)-272-5150



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Application Serial No. _____

SECURITY ORDER

35 U.S.C. §§181-188

and

Permit for Disclosing Classified or "Classifiable" Subject Matter

The above-identified patent application contains subject matter which is either **classified** or "**classifiable**"¹ in the opinion of the sponsoring defense agency.

This application is **CLASSIFIED** at the level of: TOP SECRET

This application is NOT CLASSIFIED,
but would be **CLASSIFIABLE** at the level of: SECRET

CONFIDENTIAL

ALL PRINCIPALS² IN THIS APPLICATION ARE ORDERED TO KEEP THE SUBJECT MATTER THEREOF IN SECURITY UNDER 35 U.S.C. §181.

The subject matter of this application may not be published or disclosed to any person except as specifically authorized herein or subsequently authorized by written modification of this Security Order granted by the Commissioner of Patents & Trademarks (see 37 CFR §5.5).

Unauthorized publication or disclosure of the subject matter of this patent application may result in abandonment of the application (35 U.S.C. §182) and additionally subject the person publishing or disclosing the subject matter to the penalties of 35 U.S.C. §186.

The subject matter of this application must be safeguarded under conditions that will provide adequate protection and prevent access by unauthorized persons. When copies of the subject matter are no longer needed, they should be destroyed by a method that will prevent disclosure of the contents or reconstruction of the document.

¹ The term "classifiable" as used herein refers to subject matter that is not actually classified but is sufficiently sensitive, in the opinion of the sponsoring defense agency named herein, to have been classified under E.O. 12356 if the subject matter were known to be owned by or under control of the U.S. government.

² "Principals" include all patent applicants, their heirs, assignees, licensees and their attorneys and agents.

This Order should not be construed in any way to mean that the U.S. Government has adopted or contemplates adoption of the invention disclosed in this application and it is not any indication of the value of such invention. Additionally, this Order is not authority in and of itself for classification of the subject matter of this patent application.

Any other patent application already or hereafter filed in the U.S. or any foreign country which contains any significant part of the subject matter of the above-identified patent application also falls within the scope of this Order. If such other patent application is not currently under a Secrecy Order imposed by the U.S. Patent and Trademark Office, it and the common subject matter must be brought to the immediate attention of:

Mail Stop L&R
Commissioner of Patents
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

This Secrecy Order was recommended to the Commissioner of Patents & Trademarks by the following sponsoring defense agency:

- ARMY
- NAVY
- AIR FORCE
- HOMELAND SECURITY
- _____

- Questions regarding the reasons for imposing this Secrecy Order should be directed to the sponsoring defense agency. A contact for each defense agency is attached.
- Questions regarding the substantive examination of the patent application should be directed to the patent examiner
- Questions pertaining to the administrative handling of the application or the Secrecy Order should be directed to the Licensing and Review Branch of the Patent & Trademark Office at 571-272-6617; Fax: 571 273-0314.
- Hand-carried correspondence should be delivered between the hours of 9:00am and 4:30pm to: Technology Center 3600, Room 4B31, 501 Dulany Street (Knox Building), Alexandria Virginia, 22134.

Permit for Disclosing Classified or "Classifiable" Information

A. If the subject matter of this application is classified:

Disclosure of the subject matter of this application is authorized to persons with the appropriate personnel security clearance on a "need-to-know" basis under the

provisions of Executive Orders 10865 and 12356 and the "Industrial Security Manual for Safeguarding Classified Information" provided the authorized person to whom the subject matter is disclosed is furnished with a copy of this Secrecy Order and informed that this Order is applicable to the subject matter disclosed.

Any declassification, in whole or in part, of the subject matter of this application does not modify this Secrecy Order. The requirements of this Secrecy Order remain in effect until it is rescinded or modified in writing by the Commissioner of Patents & Trademarks. If the subject matter is declassified, this fact should be brought to the attention of the sponsoring defense agency.

B. If the subject matter of this application is "classifiable" but not classified:

Principals to this Secrecy Order employed at a facility which has a current DoD Security Agreement (DoD Form 441) are authorized to disclose on a "need-to-know" basis the subject matter of this patent application to other persons at that facility having a personnel security clearance at least as high as the level of protection specified on page 1 of this Secrecy Order provided the provisions of the "Industrial Security Manual for Safeguarding Classified Information" (DoD 5220.22-M) are complied with³ and the authorized person to whom the subject matter is disclosed is furnished with a copy of this Secrecy Order and informed that this Secrecy Order is applicable to the subject matter disclosed.

Principals employed at a facility that does not have a current DoD Security Agreement must obtain prior written modification of this Secrecy Order from the Commissioner of Patents & Trademarks for any further disclosure of the subject matter of this application to any person. See 37 CFR §5.5.

This permit for disclosing classified or "classifiable" information does not authorize disclosure of the subject matter of the patent application through (1) the filing of any foreign application without specific permission of the Patent and Trademark Office, or (2) the export of any item, commodity or technical data without the required export license.

for

Donald T. Hajec
Director, Technology Center 3600
(571)-272-5150

³ Since the subject matter covered by this Secrecy Order is not actually classified, certain provisions of the Industrial Security Manual (ISM) may not strictly apply, such as derivative classification, downgrading/declassification instructions, and portion and page markings. Facilities encountering problems complying with any provisions of the ISM should directly query the defense agency sponsoring this Secrecy Order for appropriate security guidance.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Application Serial No. _____

SECURITY ORDER
For Unclassified Patent Application
with a DoD Property Interest

Including:
Permit for Disclosing Subject Matter for Legitimate Business Purposes;
Permit for Foreign Filing in Certain Countries

The above-identified patent application discloses subject matter the unauthorized publication or disclosure of which would, in the opinion of the sponsoring defense agency be detrimental to the national security.

ALL PRINCIPALS¹ IN THIS APPLICATION ARE ORDERED TO KEEP THE SUBJECT MATTER THEREOF IN SECRECY UNDER 35 U.S.C. §181.

The subject matter of this application may not be published or disclosed to any person except as specifically authorized herein or subsequently authorized by written modification of this Secrecy Order granted by the Commissioner of Patents & Trademarks (see 37 CFR §5.5).

Unauthorized publication or disclosure of the subject matter of this patent application may result in abandonment of the patent application (35 U.S.C. §182) and additionally subject the person publishing or disclosing the subject matter to the penalties of 35 U.S.C. §186.

General Provisions

Any other patent application already or hereafter filed in the U.S. or any foreign country which contains any significant part of the subject matter of the above-identified patent application also falls within the scope of this Order. If such other patent application is not currently under a Secrecy Order imposed by the U.S. Patent and Trademark Office, it

¹ "Principals" include all patent applicants, their heirs, assignees, licensees and their attorneys and agents.

and the common subject matter must immediately be disclosed to the address indicated below to the attention of the Director of Licensing and Review

Safeguarding Provisions

This application is unclassified, and thus not subject to the provisions of Executive Order 12356, entitled "National Security Information," Executive Order 10865, entitled "Safeguarding of Classified Information Within Industry" or the "Industrial Security Manual for Safeguarding Classified Information." However, since disclosure of the subject matter would be detrimental to the national security, it must be safeguarded under conditions that will provide adequate protection and prevent access by unauthorized persons. When copies of the subject matter are no longer needed, they should be destroyed by any method that will prevent disclosure of the contents or reconstruction of the document. While this Order remains in effect, all communications with the Patent & Trademark Office pertaining to this application must be addressed to the Commissioner of Patents & Trademarks, Washington, D.C. 20231, Attention: Licensing & Review. Other questions pertaining to the security safeguarding of this application should be directed to the sponsoring defense agency.

**Mail Stop L&R
Commissioner of Patents
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450**

This Secrecy Order was recommended to the Commissioner of Patents & Trademarks by the following sponsoring defense agency:

- () ARMY
- () NAVY
- () AIR FORCE
- () HOMELAND SECURITY
- () _____

- Questions regarding the reasons for imposing this Secrecy Order should be directed to the sponsoring defense agency. A contact for each defense agency is attached.
- Questions regarding the substantive examination of the patent application should be directed to the patent examiner
- Questions pertaining to the administrative handling of the application or the Secrecy Order should be directed to the Licensing and Review Branch of the Patent & Trademark Office at Telephone: 571-272-6617; Fax: 571 273-0314. .

- Hand-carried correspondence should be delivered between the hours of 9:00am and 4:30pm to: Technology Center 3600, Room 4B31, 501 Dulany Street (Knox Building), Alexandria Virginia, 22134.

This Order should not be construed in any way to mean that the U.S. Government has adopted or contemplates adoption of the invention disclosed in this application and it is not any indication of the value of such invention.

Permit for Disclosing Subject Matter for Legitimate Business Purposes

The principals may disclose, for legitimate business purposes, the subject matter of this patent application to a U.S. citizen or to a person who is both admitted lawfully into the United States for permanent residence and is located in the United States provided the U.S. citizen or person is furnished with a copy of this Secrecy Order and is informed that this Secrecy Order is applicable to the subject matter disclosed. The term "legitimate business purposes" is to be interpreted consistent with 32 CFR Part 250. Legitimate business purposes include selling or producing products for the commercial domestic marketplace, or for the commercial foreign marketplace providing that any required export license is obtained. Legitimate business purposes also include selling or otherwise disclosing technical data to foreign contractors or foreign governments after receiving the required export license or approval by the U.S. Government.

The principals shall notify the Commissioner of Patents and Trademarks if a validated license is obtained from the Office of Export Administration, U.S. Department of Commerce, or a license is obtained from the Director, Office of Defense Trade Controls, U.S. Department of State, under regulations governing the export of technical data (15 CFR §379 of the Export Administration Regulations or 22 CFR §125 of the International Traffic in Arms Regulations).

Permit for Foreign Filing in Certain Countries

The principals are permitted, subject to the conditions stated hereinafter, to file and prosecute a corresponding application for patent in each of the following countries: Australia, Belgium, Canada, Denmark, France, Federal Republic of Germany, Greece, Italy, Japan, Korea, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Turkey and the United Kingdom.

The papers for each foreign application and its prosecution shall be transmitted to the sponsoring agency, identified herein, for forwarding through diplomatic channels for filing in the foreign country either directly by the principals or through the principals' foreign patent attorney or agent if authorized by the foreign government. Correspondence exclusively relating to payments of taxes and fees need not be sent through the sponsoring agency and diplomatic channels provided that such

correspondence contains no information pertaining to the subject matter of the above-identified application.

International reciprocal agreements providing for the filing of patent applications under a Secrecy Order in the above-identified countries require the principals to furnish to the sponsoring agency identified herein (in addition to the papers to be filed in the foreign patent office) a copy of the specification (including any drawings annexed thereto, any resume and the claims included in the patent application) filed in the patent office of the foreign country. This copy will be furnished to the appropriate defense agency of the foreign government for information only and without prejudice to any rights of the principals. The filing date and serial number of the patent application should also be furnished to the sponsoring agency.

The principals shall request the foreign patent office to place in secrecy the foreign patent applications corresponding to the above-identified application and shall furnish a copy of this Secrecy Order and permit with the first papers to be filed in the foreign patent office.

The use of this permit to file in a foreign country shall constitute a waiver, unless otherwise required by international agreements, of any claim to compensation for loss or damage due solely to the imposition of secrecy or similar treatment of the invention. Belgium, France, the Federal Republic of Germany, the Netherlands, Norway, Turkey and the United Kingdom normally require a separate document confirming such a waiver.

In the case of Japan, the applicant shall ensure in its contract with its patent attorney that the patent attorney shall submit to the Japanese Patent Office a certified copy of this Secrecy Order and Permit. The submission of this permit to the Japanese Patent Office is considered notification to the Government of Japan of the Secrecy Order status of the above-mentioned application and a corresponding Japanese application will be considered an Agreement Application referred to in paragraph 3(a) of the Protocol to the 1956 United States-Japan Agreement.

for

Donald T. Hajec
Director, Technology Center 3600
(571) 272-5150