

No. 7021

**DENMARK
and
NETHERLANDS**

**Exchange of notes constituting an agreement concerning
secrecy of patents. Copenhagen, 29 May and 6 June
1963**

Official text: English.

Registered by Denmark on 31 December 1963.

**DANEMARK
et
PAYS-BAS**

**Échange de notes constituant un accord relatif au secret des
brevets d'invention. Copenhague, 29 mai et 6 juin 1963**

Texte officiel anglais.

Enregistré par le Danemark le 31 décembre 1963.

No. 7021. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN DENMARK AND THE NETHERLANDS CONCERNING SECRECY OF PATENTS. COPENHAGEN, 29 MAY AND 6 JUNE 1963

I

Copenhagen, 29th of May 1963

Sir,

I have the honour to inform Your Excellency that my Government is prepared to agree to the following :

1) The Agreement for the Mutual Safeguarding of Secrecy of Inventions relating to Defence and for which applications for Patents have been made, which was signed by our Governments on September 21st, 1960² in Paris, hereafter called the NATO agreement, and the " Agreed Procedures " pertaining thereto which were accepted by the NATO-Council on March 7th, 1962, will be provisionally applied in each of our two countries to applications originating in the other country.

2) The Danish Government shall ensure that applications originating from Denmark for patents relating to Defence and on which secrecy is to be imposed in the Netherlands, are accompanied by a statement of the applicant for the patent, in which the latter declares himself willing to assign his rights in trust to the Netherlands Government on the conditions laid down by that Government.

The owner of the rights in question shall have his rights restored to him in full as soon as secrecy need no longer be maintained.

3) Each Government shall ensure that applications originating from its country are accompanied by a statement from the applicant containing a " waiver of claim " as mentioned in art. III of the NATO agreement.

If the Government of the Kingdom of Denmark is prepared to accept the foregoing provisions, I would suggest that the present Note and Your Excellency's reply to that effect be regarded as constituting an agreement between our two Governments, which shall enter into force immediately and shall be valid for a period of one year. In the event of neither Government giving notice of termination of the agreement at least two months before the expiry of that period, the Agreement shall be regarded as having been tacitly renewed for a further

¹ Came into force on 6 June 1963 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 394, p. 3; Vol. 421, p. 348; Vol. 451, p. 340, and Vol. 460, p. 324.

period of one year, and so on, until the moment at which the NATO agreement enters into force with respect to our two Governments.

As regards the Kingdom of the Netherlands this agreement shall apply to the Kingdom in Europe, Surinam and the Netherlands Antilles, unless the Government of the Kingdom should inform the Danish Government within three months of the coming into force of the agreement that the Government of Surinam or the Government of the Netherlands Antilles does not wish the agreement to be applicable to its country.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(*Signed*) K. E. VAN DER MANDELE

His Excellency Mr. Per Hækkerup
Minister of Foreign Affairs of Denmark
Copenhagen

II

UDENRIGSMINISTERIET¹

Copenhagen, June 6th, 1963

Sir,

I have the honour to refer to your note of May 29th, 1963, reading as follows :

[*See note I*]

In reply thereto I have the honour to inform Your Excellency that the Danish Government can accept the foregoing provisions and that your note and this reply shall be regarded as constituting an agreement between our two Governments, which shall enter into force immediately and shall be valid for a period of one year.

I avail myself of this opportunity to renew to you, Sir, the assurances of my highest consideration.

(*Signed*) Per HÆKKERUP

His Excellency Mr. K. E. van der Mandele
Ambassador of the Netherlands
Copenhagen

¹ Ministry of Foreign Affairs.