

**No. 27185**

---

**BRAZIL  
and  
CHINA**

**Protocol on cooperation in the field of industrial technology.  
Signed at Beijing on 6 July 1988**

*Authentic texts: Portuguese and Chinese.*

*Registered by Brazil on 4 April 1990.*

---

**BRÉSIL  
et  
CHINE**

**Protocole de coopération en matière de technologie indus-  
trielle. Signé à Beijing le 6 juillet 1988**

*Textes authentiques : portugais et chinois.*

*Enregistré par le Brésil le 4 avril 1990.*

## [TRANSLATION — TRADUCTION]

PROTOCOL<sup>1</sup> ON COOPERATION IN THE FIELD OF INDUSTRIAL TECHNOLOGY BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA

The Government of the Federative Republic of Brazil and  
The Government of the People's Republic of China (hereinafter referred to as the "Contracting Parties"),

On the basis of the Agreement on Scientific and Technological Cooperation between the Government of the Federative Republic of Brazil and the Government of the People's Republic of China, signed at Beijing on 25 March 1982,<sup>2</sup> and of the Trade Agreement between the Governments of the two countries concluded at Beijing on 7 January 1978,<sup>3</sup>

Bearing in mind the Protocol of Understanding on Cooperation, signed at Brasília on 1 November 1985, and

Desiring to develop, on a mutually advantageous basis, bilateral cooperation in the field of research and development in the area of industrial technology and to promote reciprocal transfers of technology, the mutual provision of services, trade, and industrial investments in the two countries,

Have agreed as follows:

*Article I*

The cooperation in industrial technology to which this Protocol refers shall be carried out by means of the following methods:

(a) The exchange of information relating to industrial patents, licences and industrial technologies, as well as of lists of technologies available in each Contracting Party;

(b) The transfer of technology;

(c) Joint and coordinated research and development in the area of new industrial technologies;

(d) Investments;

(e) The provision of services;

(f) Other forms of cooperation as agreed by the Contracting Parties.

*Article II*

1. For the purposes of the implementation of this Protocol, the Contracting Parties may conclude programmes of cooperation based on those agencies and

<sup>1</sup> Came into force on 29 December 1989, the date of the last of the notifications by which the Contracting Parties informed each other that it had been approved, in accordance with article VII (1).

<sup>2</sup> United Nations, *Treaty Series*, vol. 1389, No. I-23239.

<sup>3</sup> *Ibid.*, vol. 1137, p. 135.

enterprises of the two countries that are capable of undertaking cooperation in industrial technology. Such programmes shall be negotiated by the Contracting Parties through the diplomatic channel.

2. Each programme shall designate the entities responsible for its implementation and establish the conditions and areas of cooperation.

### *Article III*

The programmes of cooperation undertaken within the scope of this Protocol shall be considered by the Joint Commission on Scientific and Technological Co-operation provided for in the Agreement on Scientific and Technological Co-operation of 1982, or by the Mixed Trade Commission provided for under the Trade Agreement of 1978, according to whether such cooperation is predominantly scientific and technological or commercial in nature.

### *Article IV*

1. Each Contracting Party shall facilitate the entry into its territory, as well as the departure therefrom, of personnel or equipment associated with cooperation activities falling within the framework of this Protocol.

2. Each Contracting Party shall provide nationals of the other Party with the means necessary to carry out the activities provided for under this Protocol.

### *Article V*

Each Contracting Party shall assume the costs of its participation in the cooperation activities falling within the framework of this Protocol. In accordance with the principle of reciprocity, international travel expenses shall be borne by the sending country, and the other expenses associated with the visit shall be borne by the host country. Specific means shall be agreed upon in the cooperation programmes by the two Contracting Parties.

### *Article VI*

Regulations pertaining to patents, licences, designs, trade secrets and property rights deriving from cooperation activities falling within the framework of this Protocol shall be consistent with the national laws of each country and with the provisions of relevant international agreements to which both countries are parties.

### *Article VII*

1. Each of the Contracting Parties shall notify the other of the ratification of this Protocol, which shall enter into force on the date of the second of these notifications.

2. This Protocol shall remain in force for four years and shall be automatically renewed for successive periods of one year unless one of the Contracting Parties informs the other in writing at least six months in advance of its decision to terminate it.

3. The termination of this Protocol shall not affect the undertaking of activities in progress deriving therefrom until their completion.

DONE at Beijing on 6 July 1988, in two original copies, in the Portuguese and Chinese languages, both texts being equally authentic.

For the Government  
of the Federative Republic of Brazil:

*[Signed]*

ROBERTO DE ABREU SODRÉ

For the Government  
of the People's Republic of China:

*[Signed]*

QIAN QICHEN

---