

December 7, 2000

DECLARATION OF THE STCU GOVERNING BOARD

Article XIII E(1) of the Statute states "The recipient entity will own all rights to intellectual property arising from a project" ("Recipient entity" is the Ukrainian institution designated in a project agreement as responsible for executing the project.)

It is therefore the view of the STCU Governing Board that the Statute of the STCU complies with the Ukrainian Law, which rules that all Intellectual Property Rights belong to Ukrainian Authorities or entities.

Other provisions of the Statute are not addressing ownership. They are about Licenses, which the owner of the intellectual property (in other words, the recipient entity) is expected to grant to the financing entities in certain circumstances, in recognition of that entity financing a certain project.

However, the STCU Governing Board is of the opinion that the provisions on Licenses (Article XIII E(5)) in the Statute should be made more clear, in the interests of both Ukraine and the other Parties, and reflecting international practice in the dissemination of scientific results. The Governing Board requests that the Parties arrange for specialists to meet with a view to propose a modification to these provisions of the Statute.

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