

**ARRANGEMENT BETWEEN THE ASEAN SECRETARIAT AND
THE UNITED STATES PATENT AND TRADEMARK OFFICE
(USPTO) ON COOPERATION IN THE FIELD OF
INTELLECTUAL PROPERTY RIGHTS**

In response to the request for technical assistance and training programs in the field of Intellectual Property Rights, the United States Patent and Trademark Office (USPTO) and the ASEAN Secretariat would like to enter into an Arrangement.

The role and function of the ASEAN Secretariat, among others, is to support the work of the ASEAN Working Group on Intellectual Property Cooperation (AWGIPC) in enhancing cooperation in the field of intellectual property. The USPTO is authorized to carry out programs on intellectual property law, policy and protection pursuant to 35 U.S.C. §§ 2(b)(11)-(b)(13), and to use the services, facilities and personnel of international organizations to perform services on its behalf pursuant to 35 U.S.C. § 2(b)(5).

The USPTO and the ASEAN Secretariat, therefore, intend and would like to cooperatively develop and administer technical assistance and training programs in the field of Intellectual Property Rights and have agreed as follows:

- a. the ASEAN Secretariat, with the approval of the ASEAN Working Group on Intellectual Property Cooperation (AWGIPC), and the USPTO shall jointly and cooperatively:
 1. identify and endorse appropriate IP-related Programs;
 2. develop IP Program agendas;
 3. identify Program participants and speakers; and select Program locations.

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b. the USPTO shall:

1. make personnel available from the USPTO and/or other United States Government agencies as well as experts from the private sector to speak at and/or participate in Programs;
2. develop IP Program materials, including printed and electronic instructional materials: and
3. make an advance payment in an amount equal to the estimated travel-related costs as mutually agreed upon on a quarterly basis to a bank account, specially opened for the Program by the ASEAN Secretariat, to cover the cost of implementing the Programs. Unless otherwise agreed by Participants, the payment is up to a maximum of USD \$100,000 annually.

c. the ASEAN Secretariat shall, using funding provided by the USPTO under this Arrangement:

1. arrange and manage all transportation and hotel needs for Program speakers, participants and attendees, other than those residing or based in the United States;
2. identify and secure facilities where Programs will take place, and manage all aspects of the relationship with the facilities;
3. secure and operate required audio/visual equipment;
4. arrange receptions or other events held in connection with Programs, as appropriate;
5. provide Program supplies, for example, nametags, pens and notebooks;
6. maintain accounting of all funds expended; and
7. prepare project completion report, not more than forty-five (45) days after the completion of each Project/Program, for the USPTO.

It is the intention of the USPTO and the ASEAN Secretariat that this Arrangement will continue until 31 December 2007, unless earlier terminated or extended by either the ASEAN Secretariat or the USPTO giving the other thirty days written notice.

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Nothing herein is intended to conflict with current principles and policies of either party.

Any disagreement between the parties concerning the interpretation and implementation of this Arrangement would be settled amicably through consultation and negotiation.

In recognition of their intent to be bound by this Arrangement, both parties have caused to be signed in duplicate in Jakarta, Indonesia, and Washington, D.C., United States of America respectively, in the English Language.

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