

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 1963 Nr. 103

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A. TITEL

*Notawisseling tussen de Nederlandse en de Deense Regering  
betreffende de wederzijdse geheimhouding van uitvindingen  
die voor de verdediging van belang zijn en onderwerp  
van octrooiaanvragen vormen;  
Kopenhagen, 29 mei en 6 juni 1963*

B. TEKST

Nr. I

ROYAL NETHERLANDS  
EMBASSY

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, 1960 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 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.

(sd.) K. E. VAN DER MANDELE

*His Excellency  
Mr. Per Haekkerup  
Minister of Foreign Affairs of Denmark  
Copenhagen.*

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Nr. II

UDENRIGSMINISTERIET

Copenhagen, June 6th, 1963.

Sir,

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

(Zoals in nr. 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.

(sd.) PER HAEKKERUP

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

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#### G. INWERKINGTREDING

De bepalingen van de in de nota's vervatte overeenkomst zijn ingevolge het daarin gestelde op 6 juni 1963 in werking getreden voor een tijdvak van een jaar, welk tijdvak van jaar tot jaar stilzwijgend kan worden verlengd.

Wat het Koninkrijk der Nederlanden betreft, geldt de overeenkomst voor het gehele Koninkrijk, met dien verstande dat haar toepassing op Suriname en de Nederlandse Antillen ingevolge het in de nota's gestelde onderworpen is aan de goedkeuring van de Regeringen van die landen, welke goedkeuring geacht zal worden stilzwijgend te zijn verleend, indien de Regering van het Koninkrijk der Nederlanden niet vóór 6 september 1963 van het tegendeel zal hebben kennis gegeven aan de Deense Regering.

#### J. GEGEVENS

Van de in het kader van de Noordatlantische Verdragsorganisatie op 21 september 1960 te Parijs ondertekende Overeenkomst betreffende de wederzijdse geheimhouding van uitvindingen die voor de verdediging van belang zijn en onderwerp van octrooiaanvragen vormen, naar welke Overeenkomst wordt verwezen in de onderhavige nota's, is de tekst geplaatst in *Trb.* 1961, 82 en de vertaling in *Trb.* 1962, 4.

Van de op 7 maart 1962 door de Noordatlantische Raad goedgekeurde Procedures ter uitvoering van artikel I, lid 3, van hogerge-noemde Overeenkomst, naar welke Procedures wordt verwezen in de onderhavige nota's, is de tekst geplaatst in *Trb.* 1963, 15.

Vergelijk ook de op 16 mei 1961 te 's-Gravenhage ondertekende Overeenkomst tussen het Koninkrijk der Nederlanden en de Bondsrepubliek Duitsland ter aanvulling van hogergenoemde Overeenkomst. Van de Overeenkomst van 16 mei 1961 is de tekst geplaatst in *Trb.* 1961, 85.

Uitgegeven de *negentiende* juli 1963.

*De Minister van Buitenlandse Zaken,*  
J. LUNS.