

Agreement
on
The Technology Management Plan
(Regarding the exploitation of Intellectual Property Rights)
for the US-China Clean Energy Research Center Building Energy Efficiency Consortium

The Department of Energy of the United States, as a Party (DOE) , and the Ministry of Science and Technology (MOST) and the National Energy Administration (NEA) of the People's Republic of China, as one Party, collectively herein the "Parties", have agreed to a "Protocol", dated November 17, 2009, for Cooperation on a Clean Energy Research Center (CERC). The CERC Protocol provides for the establishment of a Secretariat in each country for performance of various functions. Pursuant to Article V of the CERC Protocol, the Secretariats are officials of each of the respective governments.

Implementing the CERC Protocol, the United States selected Lawrence Berkeley National Laboratory and China selected the Center of Building Energy Efficiency of the Ministry of Housing and Urban-Rural Development to organize and lead teams of experts from public and private institutions to develop and carry out a five-year Joint Work Plan to advance technology in the area of building and energy efficiency, in both countries. These teams are designated as the China CERC-Building Energy Efficiency (CERC-BEE) and the U.S. CERC-BEE. Leaders of the China CERC-BEE and U.S. CERC-BEE signed a Joint Work Plan on January 18, 2011.

Members of the China CERC-BEE and U.S. CERC-BEE have since participated in joint development of, and their leaders have agreed to, a Technology Management Plan (TMP), regarding the exploitation of intellectual property rights pursuant to paragraph II.B.2.(d) of Annex I - Intellectual Property (hereinafter "IP Annex") of the CERC Protocol. The TMP, jointly signed on SEP 22 2011, 2011, is applicable to all Building Energy Efficiency Cooperative Activities undertaken pursuant to the CERC Protocol and its IP Annex, except as otherwise may be agreed to by the Parties to the CERC Protocol or their respective designees in writing.

Pursuant to Article VII of the CERC Protocol, and its IP Annex, the respective Secretariats of the Parties, on behalf of the Parties, hereby agree to and endorse the Technology Management Plan for the CERC Building Energy Efficiency Consortium.

For the government of the United States:

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



Date: SEP 23 2011

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