

Nondisclosure Policy Statement

REPLY TO
ATTENTION OF
AMSRD-AAR-GC

1. The Army has a continuing interest in receiving items, technology or data for evaluation or joint technology development which contain new ideas, suggestions, and inventive concepts for weapons, supplies, facilities, devices and equipment. However, Government personnel and contractors are constantly engaged in research and development activities, and the substance of your submitted item, technology or data may already be known to Government employees or contractors, or may even be in the public domain. Therefore, we have found it desirable to ensure that persons submitting items, technology or data for testing or evaluation are aware of the conditions under which the items, technology or data will be considered by the Army.

2. You should understand that the receipt and testing or evaluation of your item, technology or data by the Army does not imply a promise to pay, a recognition of novelty or originality, or any relationship which might require the Government to pay for use of information to which it is otherwise lawfully entitled. However, you may be sure the Army has no intention of using any submission in which you have recognizable property rights without proper compensation.

3. Due care will be exercised to insure that your proprietary information will not be disclosed to the public for any purpose or used by the Government for any purpose other than for evaluation or exploring areas of joint technology development. In order to protect your proprietary information, you are required to place at the top of each page containing proprietary information the following notice: THIS PAGE CONTAINS PROPRIETARY INFORMATION. In the event that oral presentations contain proprietary information, you should identify what information is proprietary and submit the proprietary information in writing.

4. Your voluntary submissions of proprietary data will be handled in accordance with established Government procedures for safeguarding such information against unauthorized disclosure. Government employees are subject to 18 U.S.C. 1905 sanctions for unauthorized disclosures. In addition, proprietary data forming a part of or constituting the submitted items or technology will not be disclosed outside the Government or be duplicated, used or disclosed in whole or in part by the Government, except for record purposes, or evaluation of possible areas of joint technology development. This restriction does not limit the Government's right to use information, if

it is obtained from another source or is in the public domain. Liability by reason of unauthorized disclosure of the information by the Government will under no circumstances extend beyond the actual damage to the submitter caused by the acts of the Government and cognizable in law. Furthermore, the Government accepts no liability for failure to safeguard information, unless the information consists of a patentable invention, copyrighted material, or data constituting a trade secret, and is conspicuously marked as such.

5. No contract awards are contemplated at this time as a result of the evaluation of the submitted item, technology or data. However, in the event that a future contract is awarded or CRADA executed pertaining to the subject matter of the submitted item, technology or data, the provisions of the contract or CRADA will supersede this policy statement and will govern the rights of the parties.

The undersigned agrees to have the item, technology or data submitted and treated in accordance with this policy statement.

Company/Organization Name:

Address:

Telephone:

Signature:

Title:

Date:

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