

AMENDMENT NO. 3
TO
THE ANNEX IX
TO
THE IMPLEMENTING ARRANGEMENT
BETWEEN
THE UNITED STATES DEPARTMENT OF ENERGY
AND
THE JAPAN ATOMIC ENERGY RESEARCH INSTITUTE
ON
COOPERATION IN FUSION RESEARCH AND DEVELOPMENT
FOR THE
DOE-JAERI COLLABORATIVE PROGRAM
ON THE DATA LINK

Whereas the United States Department of Energy (hereinafter called DOE) and the Japan Atomic Energy Research Institute (hereinafter called JAERI) are cooperating under Annex IX to the Implementing Arrangement on Cooperation in Fusion Research and Development for the DOE-JAERI Collaborative Program on the Data Link (hereinafter referred to as "Annex IX");

Whereas DOE and JAERI acknowledge the usefulness and mutual benefit of this collaborative program and agree that the existence of a Data Link continues to enhance the productivity of their joint fusion research activities;

Therefore, pursuant to Article 11 of Annex IX, in order to extend the Collaborative Program on the Data Link, DOE and JAERI agree to amend Annex IX as follows:

1. **Article 7, Information and Intellectual Property**, is amended as follows: Treatment of information and intellectual property under this Annex IX shall be in accordance with the provisions of Article VII and the Annex of the Agreement between the Government of the United States of America and the Government of Japan on Cooperation in Research and Development in Energy and Related Fields, as extended and amended by the Protocol signed on April 18, 2000, with the understanding that the terms "Government(s)"

and "Joint Committee" in said Article VII and Annex are to be read "Party(ies)" and "Steering Committee", respectively, for purposes of this Annex IX.

2. Article 10, Term of the Annex, as previously amended by Amendment No. 1 and Amendment No. 2, is further amended by deleting the phrase "for fifteen (15) years" and substituting, in lieu thereof, "until September 30, 2005", subject to the effectiveness of the DOE-JAERI Implementing Arrangement.

3. Amendment No. 3 to Annex IX shall be in accordance with the provisions of Article II of the Agreement between the Government of the United States of America and the Government of Japan on Cooperation in Research and Development in Energy and Related Fields, as extended and amended on April 18, 2000.

In witness whereof, this Amendment has been signed in duplicate in the English and Japanese languages, both being equally authentic, to be effective as of January 11, 2005.

FOR THE UNITED STATES
DEPARTMENT OF ENERGY



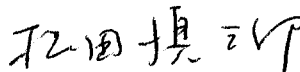
N. Anne Davies

Associate Director
for Fusion Energy Sciences
Office of Science

Date :

1/7/05

FOR THE JAPAN ATOMIC ENERGY
RESEARCH INSTITUTE



Shinzaburo Matsuda

Executive Director

Date :

Dec. 28, 2004