

**IMPLEMENTING AGREEMENT
BETWEEN
THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
OF THE UNITED STATES OF AMERICA
AND
THE STANDARDIZATION ADMINISTRATION
OF THE PEOPLE'S REPUBLIC OF CHINA**

Article 1

Scope and Objectives

Pursuant to Articles 3 and 6 of the 2003 Protocol between the Department of Commerce of the United States of America and the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China on Cooperation in the Fields of Metrology and Standards (hereinafter referred to as the "Protocol"), the National Institute of Standards and Technology (NIST) of the Department of Commerce of the United States of America and the Standardization Administration China of the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China (SAC) (hereinafter referred to as the "two parties") hereby agree to provide a mechanism for cooperation in documentary standards.

The purpose of this cooperation is to enable a technical dialogue on standards that will build upon existing successful standards cooperation activities, identify new areas for cooperation in standards activities based on national needs and priorities, and identify and address mutual concerns at a technical level.

Article 2

Cooperative Activities

- A. This implementing agreement may consist of exchanges of technical information; exchange visits; cooperative studies in disciplines of mutual interest; and other forms of cooperative activities as mutually agreed.
- B. Areas of cooperation may include, but are not limited to, such areas of mutual interest as:
 - 1. Standards activities in emerging technologies such as nanotechnology, energy efficiency systems, non-conventional energy sources, environmental technologies, green building design;
 - 2. Information exchange and updates about respective standards strategies and systems;

3. Coordination and information exchange on standards issues in regional and international fora;
 4. Cooperation in leadership of technical and policy standards committees through twinning and other mechanisms;
 5. Other activities as may be mutually agreed.
- C. Any activity carried out under this Implementing Agreement shall be agreed upon by the signing organizations in writing and shall be subject to further arrangement, as appropriate, in accordance with the laws and procedures of the United States of America and the People's Republic of China.

Article 3

Funding

Cooperative activities under this Implementing Agreement are subject to and dependent upon the availability of funds and personnel. Decisions on funding for joint activities shall be made by mutual agreement.

Article 4

Intellectual Property

Provisions for the protection and distribution of intellectual property created or furnished in the course of cooperative activities under the Implementing Agreement shall be in accordance with the provision of Article 10 of the Protocol.

Article 5

Disclaimer

Information transmitted in accordance with any instrument signed pursuant to this Implementing Agreement shall be accurate to the best knowledge and belief of the transmitting party, but the transmitting party does not warrant the suitability of the information transmitted for any particular use of or application by the receiving party or any third party.

Article 6

Planning and Review of Activities

- A. Upon entry into force of this Implementing Agreement, both parties shall name representatives consistent with Article 6, Paragraph 2 of the Protocol who, at times mutually established, shall plan and review activities under this Implementing Agreement and use their best abilities to mitigate disputes if any arise.
- B. The point of contact for the implementation of these activities for NIST shall be the NIST Standard Services Division, and for SAC shall be the International Cooperation Department.

Article 7

Entry into Force and Termination

This Implementing Agreement shall enter into force upon signature by both parties and shall remain in force for the duration of the Protocol, unless terminated by either side upon ninety days written notice to the other side. This Implementing Agreement may be amended or extended by written agreement of the signing organizations. The termination of this Implementing Agreement shall not affect the validity or duration of projects under this Implementing Agreement that are initiated prior to such termination.

DONE in duplicate in English and Chinese language at Beijing on the 1st day of June 2007.

IN WITNESS THEREOF, the undersigned, being duly authorized by their respective authorities, have signed this Implementing Agreement

FOR THE NATIONAL INSTITUTE OF
STANDARDS AND TECHNOLOGY
OF THE UNITED STATES OF
AMERICA

FOR THE STANDARDIZATION
ADMINISTRATION OF THE
PEOPLE'S REPUBLIC OF CHINA


Belinda Collins
June 1st , 2007


Zhang Lin
June 1st , 2007