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BULLETIN  
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**I. EXECUTIVE ORDER.**—The following Executive Order (No. 9865) is published for the information and guidance of all concerned:

**EXECUTIVE ORDER 9865**

**PROVIDING FOR THE PROTECTION ABROAD OF INVENTIONS RESULTING FROM RESEARCH FINANCED BY THE GOVERNMENT**

WHEREAS the Government of the United States now has and will hereafter acquire title to, or the right to file foreign patent applications for, numerous inventions arising out of scientific and technical research carried on by or for the Government; and

WHEREAS it is in the interest of the United States to acquire patent protection abroad on certain inventions resulting from government-financed research; and

WHEREAS it is in the interest of the Government to foster, promote, and develop the foreign commerce of the United States:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by the Constitution and statutes, and as Commander in Chief of the Army and Navy, and in the interest of the foreign affairs functions of the United States and the internal management of the Government, it is hereby ordered as follows:

1. All Government departments and agencies shall, whenever practicable, acquire the right to file foreign patent applications on inventions resulting from research conducted or financed by the Government.

2. All Government departments and agencies which have or may hereafter acquire title to inventions or the right to file patent applications abroad thereon, shall fully and continuously inform the Department of Commerce concerning such inventions, except as provided in section 6 hereof, and shall make recommendations to the Department of Commerce as to which of such inventions should receive patent protection by the United States abroad and the foreign jurisdictions in which such patent protection should be sought. The recommendations of such departments and agencies shall indicate the immediate or future industrial, commercial or other value of the invention concerned, including its value to public health.

3. The Department of Commerce shall determine whether, and in what foreign jurisdictions, the United States should seek patents for such inventions and, to the extent of appropriations available therefor, shall procure patent protection for such inventions, taking all action, consistent with existing law, necessary to acquire and maintain patent rights abroad. Such determinations of the said Department shall be made after full consultation with United States industry and commerce, with the Department of State, and with other Government agencies familiar with the technical, scientific, industrial, commercial or other economic or social factors affecting the invention involved, and after con-

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sideration of the availability of valid patent protection in the countries determined to be immediate or potential markets for, or producers of, products, processes, or services covered by or relating to the invention.

4. The Department of Commerce shall administer foreign patents acquired by the United States under the terms of this order and shall issue licenses thereunder in accordance with law under such rules and regulations as the Secretary of Commerce shall prescribe. Nationals of the United States shall be granted licenses on a nonexclusive royalty free basis except in such cases as the Secretary shall determine and proclaim it to be inconsistent with the public interest to issue such licenses on a nonexclusive royalty free basis.

5. The Department of State, in consultation with the Department of Commerce, shall negotiate arrangements among governments under which each government and its nationals shall have access to the foreign patents of the other participating governments. Patents relating to matters of public health may be licensed by the Secretary of Commerce, with the approval of the Secretary of State, to any country or its nationals upon such terms and conditions as are in accordance with law and as the Secretary of Commerce determines to be appropriate, regardless of whether such country is a party to the arrangements provided for in this section.

6. There shall be exempted from the provisions of this order (a) all inventions within the jurisdiction of the Atomic Energy Commission except in such cases as the said Commission specifically authorizes the inclusion of an invention under the terms of this order; and (b) all other inventions officially classified as secret or confidential for reasons of the national security. Nothing in this order shall supersede the declassification policies and procedures established by Executive Orders Nos. 9568 of June 8, 1945, 9604 of August 25, 1945, and 9809 of December 12, 1946.

HARRY S. TRUMAN

THE WHITE HOUSE,  
June 14, 1947.

**II. EXECUTIVE ORDER.**—The following Executive Order (No. 9867) is published for the information and guidance of all concerned:

## EXECUTIVE ORDER 9867

AMENDING EXECUTIVE ORDER NO. 9492, AS AMENDED, PRESCRIBING REGULATIONS GOVERNING NON-MILITARY AND NON-NAVAL TRANSPORTATION ON ARMY AND NAVY AIR TRANSPORTS

By virtue of the authority vested in me by the Constitution and laws of the United States and as President of the United States and Commander in Chief of the Army and Navy of the United States, it is ordered that Executive Order No. 9492 of October 24, 1944, as amended by Executive Orders No. 9629 of September 25, 1945, No. 9714 of April 20, 1946, No. 9792 of October 23, 1946, and No. 9840 of April 22, 1947, prescribing regulations governing non-military and non-naval transportation on Army and Navy air transports, be, and it is hereby, further amended by substituting the words "two years and ten months" for the words "two years and eight months," occurring in paragraph 2 (c) thereof, as amended.

HARRY S. TRUMAN

THE WHITE HOUSE,  
June 23, 1947.

**III. EXECUTIVE ORDER.**—The following Executive Order (No. 9868) is published for the information and guidance of all concerned:

## EXECUTIVE ORDER 9868

APPOINTMENT OF MEMBERS OF A MILITARY TRIBUNAL ESTABLISHED FOR THE TRIAL AND PUNISHMENT OF MAJOR WAR CRIMINALS IN GERMANY

By virtue of the authority vested in me by the Constitution and the statutes, and as President of the United States and Commander in Chief of the Army and Navy of the United States, it is ordered as follows:

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