

**IMPLEMENTING AGREEMENT
BETWEEN
THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
OF THE DEPARTMENT OF COMMERCE
OF THE UNITED STATES OF AMERICA
AND
THE NATIONAL INSTITUTE OF METROLOGY
OF THE
GENERAL ADMINISTRATION OF QUALITY SUPERVISION, INSPECTION
AND QUARANTINE
OF THE PEOPLE'S REPUBLIC OF CHINA**

Article 1

Scope and Objectives

Pursuant to Articles 3 and 6 of the 2008 Protocol between the Department of Commerce of the United States of America and 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 National Institute of Metrology (NIM) of the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China (hereinafter referred to as the signing organizations) hereby agree to provide a mechanism for cooperation in measurement standards.

The purpose of this cooperation is to enhance the existing cooperation relationship between the signing organizations, identify new areas for cooperation in measurement 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. Basic research on metrology, including the determination of fundamental physical constants for purpose of redefinition of some SI base units, electricity and

- quantum metrology, next generation of time and frequency standards, chemical metrology;
2. Measurement standards activities in emerging technologies such as nanotechnology, photometry and radiometry, energy efficiency systems, non-conventional energy sources, environmental technologies, climate change monitoring, material science;
 3. 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 signing organizations 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 International and Academic Affairs Office (IAAO), and for NIM shall be the International Cooperation Office.

Article 7

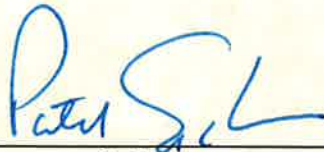
Entry into Force and Termination

This Implementing Agreement shall enter into force upon signature by both organizations and shall remain in force for five years, 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.

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

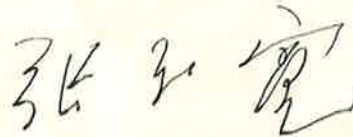
DONE in duplicate in the English and Chinese languages at Gaithersburg, Maryland on the 28th day of September 2012.

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



Dr. Patrick Gallagher, Under Secretary
of Commerce for Standards and
Technology, and NIST Director

FOR THE NATIONAL INSTITUTE OF
METROLOGY OF THE GENERAL
ADMINISTRATION OF QUALITY
SUPERVISION, INSPECTION AND
QUARANTINE OF THE PEOPLE'S
REPUBLIC OF CHINA



Prof. ZHANG Yukuan, NIM Director