

Attachment A - Convention on Biological Diversity

1. The MATERIAL is considered a genetic resource within the meaning of the Convention on Biological Diversity ("CBD"). Therefore, PROVIDER and RECIPIENT wish to comply with the terms of the CBD, in particular its regulations on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits as laid out in the Nagoya Protocol.
2. The country of origin of the MATERIAL is Guinea. This Agreement attempts to comply with Article 15 of the CBD, which recognizes the sovereign rights of States over their natural resources. The CBD requires users of genetic resources to share benefits accruing from their use with the country of origin. In the case of subsequent exploitation, suitable and adequate sharing of income must be negotiated by the RECIPIENT with the country concerned.
3. Therefore, in the event of discovery of a potential commercial use for a product or process, or generation of Intellectual Property, which derives from or covers the MATERIAL or MODIFICATIONS, the RECIPIENT shall notify the PROVIDER and the Country of Origin of said discovery. The activity related to said potential use or Intellectual Property shall be suspended. In respect of the circumstances, a new contract containing the relevant legal provisions shall be executed between the RECIPIENT (or Requestor if applicable), the PROVIDER, and the Country of Origin.