

to the issuance of an oil shale lease. The right is reserved at any time before or after the issuance of the lease to require an increase of the amount of the bond in any case where the Secretary deems it proper to do so.

§ 3172.9 *Other Provisions.*

(a) Protection of the Environment and Human Safety. The lease will contain such provisions as the Secretary deems necessary to prevent or minimize pollution of air and water, scenic or esthetic damage, damage to surface resources, and to fish and wildlife and hazards to human safety.

(b) Prevention of Damage to Other Mineral Resources. The lease will contain such provisions as the Secretary determines necessary to protect other mineral resources which may be involved.

(c) Diligence in Pursuit of Plan of Research. The lease will require that the lessee pursue diligently both the plan of research upon which his lease was issued and operations during the commercial production phase.

(d) Disclosure of Information Developed During the Research Term.

(1) The lease will contain provisions requiring the lessee:

[1] To submit annual progress reports during the research period, in sufficient detail to disclose fully all work accomplished and results achieved.

[2] To submit, within 120 days after completion of all work under the research plan, a final report summarizing the state of the art and covering conclusions and recommendations derived therefrom. The report shall include a complete and detailed disclosure of all materials, processes, and equipment involved, including all the technical and financial data needed to enable any qualified person to carry out the work performed under the lease. Where appropriate, the recommendations shall include proposals for further improvements which would advance the future state of the art based on knowledge acquired in the performance of the work under the lease.

[3] To make such other reports and supply such information regarding the progress of the research as the Secretary may specify from time to time.

[4] To permit access, by persons designated by the Secretary, to the leased premises, all facilities thereon, all other facilities in which any part of the research is conducted, and all books and records which directly relate to the plan of research being conducted.

(2) The lease will provide that no report required under the lease may be copyrighted and the lessee, without additional compensation, therein grants to the Secretary the full right to publish, reproduce and use, and have others do so, for any purpose without limitations, the reports and any information obtained by the Secretary hereunder. The Secretary will promptly publish the reports received and make the other information he has obtained available to the public.

(3) The lease will require that the lessee agree not to publish, or to make available to others besides representatives of the Secretary, the results of the research work under the lease or any information concerning the same, without prior approval in writing from the Secretary.

(e) Patents. The lease will contain provisions that the United States will acquire title to all inventions made in the course of or under the research term of the lease, and requiring the lessee to issue licenses at reasonable royalty rates, with respect to such patents as he may own, which are necessary to permit others to practice inventions made in the course of or under the research term of the lease, except that the lease may contain provisions granting greater patent rights to the lessee, in such cases where a proper showing of exceptional circumstances is made, in accordance with the Statement of Government Patent Policy issued by President Kennedy on October 10, 1963, 28 F.R. 10943.

(f) Assignments and Relinquishments. The lease will contain provisions governing assignments and relinquishments.

(g) Cancellation of Leases. Upon failure of a lessee to comply with the provisions of the Mineral Leasing Act, or of the regulations issued thereunder, or of the lease, and continuation of such default for 30 days after service of written notice thereof by the Secretary, the Secretary may institute judicial proceedings for the cancellation of the lease as provided in section 31 of the Act. Failure to give notice with respect to any particular cause of forfeiture