

9 March 2009

**PRIME CONTRACT FA8615-07-C-6032
F-16 Peace Drive (Pakistan)
Modernization Program
UCA Contract
Supplement to Appendix A – 28th Series**

For all subcontracts issued under the subject Prime Contract, incorporate the following terms and conditions, applicable as noted, in addition to those other terms and conditions (the 28th Series, etc.) to be used for subcontracts issued under such Prime Contract. The language of the incorporated clause(s) should be modified so that "Government" and "Contracting Officer" mean Buyer, "Contractor" means Seller, "Contract" means Purchase Order, and "Subcontractor" means Seller's Subcontractors.

Add the following FAR clauses:

1. With reference to Paragraph 12, Appendix A, 28th Series, the following FAR clauses related to patents, rights in data, and computer software are incorporated in the Prime Contract:

FAR 52.227-1, "AUTHORIZATION AND CONSENT" (JUL 1995)

FAR 52.227-2, "NOTICE AND ASSISTANCE REGARDING PATENT AND COPYRIGHT INFRINGEMENT" (AUG 1996)

FAR 52.227-21, "TECHNICAL DATA MAJOR SYSTEMS (AND ANGE7)" FAR clause Tw (

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252.227-7013, "RIGHTS IN TECHNICAL DATA – NONCOMMERCIAL ITEMS" (NOV 1995);

252.227-7014, "RIGHTS IN NONCOMMERCIAL COMPUTER SOFTWARE AND NONCOMMERCIAL COMPUTER SOFTWARE DOCUMENTATION" (JUN 1995);

252.227-7016, "RIGHTS IN BID OR PROPOSAL INFORMATION" (JUN 1995);

252.227-7027, "DEFERRED ORDERING OF TECHNICAL DATA AND COMPUTER SOFTWARE" (APR 1988);

252.227-7030, "TECHNICAL DATA – WITHHOLDING OF PAYMENT" (MAR 2000); and

252.227-7037***, "VALIDATION OF RESTRICTIVE MARKINGS ON TECHNICAL DATA" (SEP 1999).

5. AFMC 5352.227-9000 "EXPORT-CONTROLLED DATA RESTRICTIONS (AFMC)" (JUL 1997):

"CO" means "Buyer"

(a) For purposes of this clause,

- (1) Foreign person is any person who is not a citizen or national of the U.S. or lawfully admitted to the U.S. for permanent residence under the Immigration and Nationality Act, and includes foreign corporations, international organizations, and foreign governments;
- (2) Foreign representative is anyone, regardless of nationality or citizenship, acting as an agent, representative, official, or employee of a foreign government, a foreign-owned or influenced firm, corporation or person;

foreign source to perform work under this contract or before granting access to foreign persons to any equipm