27.203-1 General.

(a) Unauthorized disclosure of classified subject matter, whether in patent applications or resulting from the issuance of a patent, *may* be a violation of 18 U.S.C. 792, *et seq*. (Chapter 37-Espionage and Censorship), and related statutes, and *may* be contrary to the interests of national security.

(b) Upon receipt of a patent application under paragraph (a) or (b) of the clause at 52.227-10, Filing of Patent Applications-Classified Subject Matter, the *contracting officer shall* ascertain the proper security classification of the patent application. If the application contains classified subject matter, the *contracting officer shall* inform the contractor how to transmit the application to the *United States* Patent Office in accordance with procedures provided by legal counsel. If the material is classified "Secret" or higher, the *contracting officer shall* make every effort to notify the contractor within 30 days of the Government’s determination, pursuant to paragraph (a) of the clause.

(c) Upon receipt of information furnished by the contractor under paragraph (d) of the clause at 52.227-10, the *contracting officer shall* promptly submit that information to legal counsel in order that the steps necessary to ensure the security of the application will be taken.

(d) The *contracting officer shall* act promptly on requests for approval of foreign filing under paragraph (c) of the clause at 52.227-10 in order to avoid the loss of valuable patent rights of the Government or the contractor.

Parent topic: 27.203 Security requirements for patent applications containing classified subject matter.