227.7103-17 Overseas contracts with foreign sources.

(a) The clause at 252.227-7032 , Rights in Technical Data and Computer Software (Foreign), may be used in contracts with foreign contractors to be performed overseas, except Canadian purchases (see paragraph (c) of this subsection), in lieu of the clause at 252.227-7013 , Rights in Technical Data–Other Than Commercial Products and Commercial Services, when the Government requires the unrestricted right to use, modify, reproduce, perform, display, release, or disclose all technical data to be delivered under the contract. Do not use the clause in contracts for existing or special works.

(b) When the Government does not require unlimited rights, the clause at 252.227-7032 may be modified to accommodate the needs of a specific overseas procurement situation. The Government should obtain rights in the technical data that are not less than the rights the Government would have obtained under the data rights clause(s) prescribed in this part for a comparable procurement performed within the United States or its outlying areas.

(c) Contracts for Canadian purchases shall include the appropriate data rights clause prescribed in this part for a comparable procurement performed within the United States or its outlying areas.

Parent topic: 227.7103 Other than commercial products, commercial services, or commercial processes.