

**ACKNOWLEDGEMENT OF DUTY OF NONDISCLOSURE
To Protect Confidential Information**

- A. Parties. This Acknowledgement is executed by [NAME], a full-time civilian employee of the United States Navy's Naval Surface Warfare Center Carderock Division, Code [NUMBER]
- B. Purpose. The purpose of this Acknowledgement is to confirm [NAME]'s duty to protect Confidential Information received from WEC Prize Contestants for the sole purpose of:

Providing sufficient information to fulfill the duties of participating as Judge on the Judging Panel for the Wave Energy Prize. The Confidential Information disclosed to [NAME] by the WEC Prize Contestants will consist of confidential or proprietary business, technical, or financial information belonging to the Prize participants, including data that has not been released or otherwise made available to the public and, information relating to the submissions of applications and other information in connection with the Prize and Prize applications.

- C. Acknowledgement. [NAME] acknowledges, by signing below, that the Confidential Information provided by Wave Energy Prize Contestants contains information that is presented in confidence and may contain Wave Energy Prize Contestant's trade secret or commercial or financial information, and further acknowledges the obligation to protect such information from disclosure to the extent authorized or required by:

- i) 5 U.S.C. § 552(b)(4) (Freedom of Information Act), *available at* <http://www4.law.cornell.edu/uscode/5/552.html>;
- ii) Executive Order 12600 (Predisclosure Notification Procedures for Confidential Commercial Information), *available at* <http://www.cftc.gov/foia/foieo12600.html>;
- iii) 18 U.S.C. § 1905 (Trade Secrets Act), *available at* <http://www4.law.cornell.edu/uscode/18/1905.html>;
- iv) 18 U.S.C. § 1831 *et seq.* (Economic Espionage Act), *available at* <http://www4.law.cornell.edu/uscode/18/p1ch90.html>; and
- v) any other similar statute, order or regulation applicable to United States Government employees.
- vi) Public Law 111 - 358 - America COMPETES Reauthorization Act of 2010" or the "America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Reauthorization Act of 2010.

The foregoing authorities represent [NAME]'s entire obligation to protect the Confidential Information received under this Agreement and prevention of any conflicts of interest. Nothing herein shall be interpreted as giving rise to a private cause of action against [NAME] or any other employee of the United States Government.

ACCEPTED:

By _____

Name:

Title _____

Date _____