



Bureau des radiocommunications

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Circulaire administrative
CA/164

Le 3 octobre 2006

Aux Administrations des Etats Membres de l'UIT et aux Membres du Secteur des radiocommunications

Objet: Formulaires révisés de soumission de déclarations de brevet et d'octroi de licence

La Circulaire administrative CA/148 (15 avril 2005) contenait les formulaires utilisés par les titulaires ou les demandeurs de brevets pour soumettre à l'UIT-R des déclarations de brevet; ces formulaires ont été harmonisés avec ceux utilisés par l'UIT-T. Les discussions engagées ultérieurement avec l'Organisation internationale de normalisation (ISO) et la Commission électrotechnique internationale (CEI) ont abouti à l'élaboration de formulaires révisés, harmonisés entre les quatre entités concernées. Ces nouveaux formulaires, annexés à la présente Circulaire, remplacent ceux figurant dans la Circulaire administrative CA/148 du 15 avril 2005 et devraient être utilisés à compter du **30 septembre 2006**.

Nous vous précisons qu'il est inutile de soumettre à nouveau les données déjà enregistrées dans la base de données sur les déclarations de brevet. Les nouveaux formulaires normalisés devraient être utilisés uniquement pour soumettre de nouvelles déclarations.

Valery Timofeev
Directeur du Bureau des radiocommunications

Annexes: 2

Distribution:

- Administrations des Etats Membres de l'UIT
- Membres du Secteur des radiocommunications
- Présidents et Vice-Présidents des Commissions d'études des radiocommunications et de la Commission spéciale chargée d'examiner les questions réglementaires et de procédure
- Président et Vice-Présidents du Groupe consultatif des radiocommunications
- Président et Vice-Présidents de la Réunion de préparation à la Conférence
- Membres du Comité du Règlement des radiocommunications
- Secrétaire général de l'UIT, Directeur du Bureau de la normalisation des télécommunications, Directeur du Bureau de développement des télécommunications

Annex 1 (English only)

ITU

International Telecommunication Union



ISO

International Organization for Standardization



IEC

International Electrotechnical Commission



Patent Statement and Licensing Declaration

for ITU-T/ITU-R Recommendation | ISO/IEC Deliverable

This declaration does not represent an implied license grant

Please return to the relevant organization(s) as instructed below per document type:

Director Telecommunication Standardization Bureau International Telecommunication Union Place des Nations CH-1211 Geneva 20, Switzerland Fax: +41 22 730 5853	Director Radiocommunication Bureau International Telecommunication Union Place des Nations CH-1211 Geneva 20, Switzerland Fax: +41 22 730 5785 Email: brmail@itu.int	Secretary-General International Organization for Standardization 1 rue de Varembe CH-1211 Geneva 20 Switzerland Fax: +41 22 733 3430	General Secretary International Electrotechnical Commission 3 rue de Varembe CH-1211 Geneva 20 Switzerland Fax: +41 22 919 0301
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Patent Holder/Organization:

Legal Name _____

Contact for license application:

Name & Department _____

Address _____

Tel. _____

Fax _____

E-mail _____

URL (optional) _____

Document type:

ITU-T Rec. (*) ITU-R Rec. (*) ISO Deliverable (*) IEC Deliverable (*)

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Common text or twin text (ITU-T Rec. | ISO/IEC Deliverable (*)) (for common text or twin text, please return the form to each of the three organizations: ITU-T, ISO, IEC)

ISO/IEC Deliverable (*) (for ISO/IEC Deliverables, please return the form to both ISO and IEC)

(*) Number _____

(*) Title _____

Licensing declaration:

The Patent Holder believes that it holds granted patents and/or pending applications, the use of which would be required to implement the above document and hereby declares, in accordance with the Common Patent Policy for ITU-T/ITU-R/ISO/IEC, that (check one box only):

<input type="checkbox"/>	<p>1. The Patent Holder is prepared to grant a <u>free</u> license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and under other reasonable terms and conditions to make, use, and sell implementations of the above document.</p> <p>Negotiations are left to the parties concerned and are performed outside the ITU-T, ITU-R, ISO or IEC.</p> <p><i>Also mark here __ if the Patent Holder's willingness to license is conditioned on reciprocity for the above document.</i></p> <p><i>Also mark here __ if the Patent Holder reserves the right to license on reasonable terms and conditions (but not for free) to applicants who are only willing to license their patent claims, whose use would be required to implement the above document, on reasonable terms and conditions (but not for free).</i></p>
<input type="checkbox"/>	<p>2. The Patent Holder is prepared to grant a license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and on reasonable terms and conditions to make, use and sell implementations of the above document.</p> <p>Negotiations are left to the parties concerned and are performed outside the ITU-T, ITU-R, ISO, or IEC.</p> <p><i>Also mark here __ if the Patent Holder's willingness to license is conditioned on reciprocity for the above document.</i></p>
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<p>Free: The word "free" does not mean that the Patent Holder is waiving all of its rights with respect to the essential patent. Rather, "free" refers to the issue of monetary compensation; <i>i.e.</i>, that the Patent Holder will not seek any monetary compensation as part of the licensing arrangement (whether such compensation is called a royalty, a one-time licensing fee, etc.). However, while the Patent Holder in this situation is committing to not charging any monetary amount, the Patent Holder is still entitled to require that the implementer of the above document sign a license agreement that contains other reasonable terms and conditions such as those relating to governing law, field of use, reciprocity, warranties, etc.</p> <p>Reciprocity: As used herein, the word "reciprocity" means that the Patent Holder shall only be required to license any prospective licensee if such prospective licensee will commit to license its essential patent(s) or essential patent claim(s) for implementation of the same above document for free or under reasonable terms and conditions.</p>	
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FORM: September 2006

Patent Information (desired but not required for options 1 and 2; required for option 3 (NOTE))				
No.	Status [granted/ pending]	Country	Granted Number or Application Number (if pending)	Title
1				
2				
3				

NOTE: For option 3, the additional minimum information that shall also be provided is listed in the option 3 box above.

Annex 2 (English only)

ITU

International Telecommunication Union



General Patent Statement and Licensing Declaration **for ITU-T/ITU-R Recommendation**

This declaration does not represent an implied license grant

Please return to the relevant bureau:

Director
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International Telecommunication Union
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In case part(s) or all of any proposals contained in contributions submitted by the organization above are included in ITU-T/ITU-R Recommendation(s) and the included part(s) contain items that have been patented or for which patent applications have been filed and whose use would be required to implement ITU-T/ITU-R Recommendation(s), the above Patent Holder hereby declares, in accordance with the Common Patent Policy for ITU-T/ITU-R/ISO/IEC (check one box only):



1. The Patent Holder is prepared to grant a free license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and under other reasonable terms and conditions to make, use, and sell implementations of the relevant ITU-T/ITU-R Recommendation.

Negotiations are left to the parties concerned and are performed outside the ITU-T/ITU-R.

Also mark here __ if the Patent Holder's willingness to license is conditioned on reciprocity for the above ITU-T/ITU-R Recommendation.

Also mark here __ if the Patent Holder reserves the right to license on reasonable terms and conditions (but not for free) to applicants who are only willing to license their patent claims, whose use would be required to implement the above ITU-T/ITU-R Recommendation, on reasonable terms and conditions (but not for free).



2. The Patent Holder is prepared to grant a license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and on reasonable terms and conditions to make, use and sell implementations of the relevant ITU-T/ITU-R Recommendation.

Negotiations are left to the parties concerned and are performed outside the ITU-T/ITU-R.

Also mark here __ if the Patent Holder's willingness to license is conditioned on reciprocity for the above ITU-T/ITU-R Recommendation.

Free: The word "free" does not mean that the Patent Holder is waiving all of its rights with respect to the essential patent. Rather, "free" refers to the issue of monetary compensation; *i.e.*, that the Patent Holder will not seek any monetary compensation as part of the licensing arrangement (whether such compensation is called a royalty, a one-time licensing fee, etc.). However, while the Patent Holder in this situation is committing to not charging any monetary amount, the Patent Holder is still entitled to require that the implementer of the ITU-T/ITU-R Recommendation sign a license agreement that contains other reasonable terms and conditions such as those relating to governing law, field of use, reciprocity, warranties, etc.

Reciprocity: As used herein, the word "reciprocity" means that the Patent Holder shall only be required to license any prospective licensee if such prospective licensee will commit to license its essential patent(s) or essential patent claim(s) for implementation of the same ITU-T/ITU-R Recommendation for free or under reasonable terms and conditions.

Signature:

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Name of authorized person _____

Title of authorized person _____

Signature _____

Place, Date _____

FORM: September 2006
