

Patent Statement and Licensing Declaration

This declaration does not represent an implied license grant

Please return to: Director
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International Telecommunication Union

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Patent Holder/Organization:

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ITU-T Recommendation:

Number G.709

Title Interfaces for the Optical Transport Network (OTN)

Licensing declaration

The Patent Holder believes to hold granted patents and/or pending applications, whose use would be required to implement the above ITU-T Recommendation and hereby declares, in accordance with the Statement on ITU-T Patent Policy (see ITU-T website), that (check one box only).

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1 The Patent Holder is prepared to grant – on the basis of reciprocity for the above ITU-T Recommendation – 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 above ITU-T Recommendation.

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

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 Recommendation, on reasonable terms and conditions (but not for free).

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

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3 The Patent Holder is unwilling to grant licenses according to the provisions of either 1 or 2 above. In this case, the following information must be provided as part of this declaration:

- patent registration/application number;
- an indication of which portions of the Recommendation are affected;
- a description of the patent claims covering the 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 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 Recommendation for free or under reasonable terms and conditions.

Signature

Organization **Nortel Networks Limited**

Name of authorized person **Michelle Lee**

Title of authorized person **IP Counsel**

Signature 

Place, Date **Brampton, Ontario October 19, 2005**

Patent Information (desired but not required)			
No.	Registration Number/ Country	Title/ Inventor	Status [granted/ pending]
1	US 6,496,519	FRAME BASED DATA TRANSMISSION OVER SYNCHRONOUS DIGITAL HIERACHY NETWORK	Granted
2	US 6,816,496	FRAME BASED DATA TRANSMISSION OVER SYNCHRONOUS DIGITAL HIERACHY NETWORK	Granted
3	69925548.1 Germany	TRANSMISSION OF FRAME BASED DATA OVER SYNCHRONOUS DIGITAL HIERARCHY NETWORK	Granted
4	0982900 EP	TRANSMISSION OF FRAME BASED DATA OVER SYNCHRONOUS DIGITAL HIERARCHY NETWORK	Granted
5	0982900 France	TRANSMISSION OF FRAME BASED DATA OVER SYNCHRONOUS DIGITAL HIERARCHY NETWORK	Granted
6	0982900 GB	TRANSMISSION OF FRAME BASED DATA OVER SYNCHRONOUS DIGITAL HIERARCHY NETWORK	Granted
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