

**Patent Statement and Licensing Declaration Form for ITU-T/ITU-R Recommendation | ISO/IEC Deliverable**



**Patent Statement and Licensing Declaration  
for ITU-T/ITU-R Recommendation | ISO/IEC Deliverable**

*This declaration does not represent an actual grant of a license*

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

<b>Director</b>	<b>Director</b>	<b>Secretary-General</b>	<b>General Secretary</b>
Telecommunication	Radiocommunication Bureau	International Organization for	International Electrotechnical
Standardization Bureau	International Telecommunication	Standardization	Commission
Union	Union	1 Chemin de la Voie-Creuse	3 rue de Varembe
Place des Nations	Place des Nations	CH-1211 Geneva 20	CH-1211 Geneva 20
CH-1211 Geneva 20,	CH-1211 Geneva 20,	Switzerland	Switzerland
Switzerland	Switzerland	Fax: +41 22 733 3430	Fax: +41 22 919 0300
Fax: +41 22 730 5853	Fax: +41 22 730 5785	Email:	Email:
Email: <a href="mailto:tshdir@itu.int">tshdir@itu.int</a>	Email: <a href="mailto:brmail@itu.int">brmail@itu.int</a>	<a href="mailto:patent.statements@iso.org">patent.statements@iso.org</a>	<a href="mailto:inmail@iec.ch">inmail@iec.ch</a>

<b>Patent Holder:</b>	
Legal Name	<u>Applied Micro Circuits Corporation</u>
<b>Contact for license application:</b>	
Name & Department	
Address	<u>215 Moffett Park Drive</u>
	<u>Sunnyvale, CA 94089</u>
Tel.	<u>408-542-8600</u>
Fax	
E-mail	
URL (optional)	
<b>Document type:</b>	
<input checked="" type="checkbox"/> ITU-T Rec. (*)	<input type="checkbox"/> ITU-R Rec. (*)
<input type="checkbox"/> ISO Deliverable (*)	<input type="checkbox"/> IEC Deliverable (*)
(please return the form to the relevant Organization)	
<input type="checkbox"/> 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)	
<input type="checkbox"/> ISO/IEC Deliverable (*) (for ISO/IEC Deliverables, please return the form to both ISO and IEC)	
(*)Number	<u>G.709</u>
(*)Title	<u>Interfaces for the Optical Transport Network (OTN)</u>

*RF*

**Licensing declaration:**

The Patent Holder believes that it holds granted and/or pending applications for patents, 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):



1. The Patent Holder is prepared to grant a free of charge 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.

Negotiations are left to the parties concerned and are performed outside the ITU-T, ITU-R, ISO or IEC.

Also mark here ☐ if the Patent Holder's willingness to license is conditioned on reciprocity for the above document.

Also mark here ☐ if the Patent Holder reserves the right to license on reasonable terms and conditions (but not free of charge) 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 free of charge).



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.

Negotiations are left to the parties concerned and are performed outside the ITU-T, ITU-R, ISO, or IEC.

Also mark here ☒ if the Patent Holder's willingness to license is conditioned on reciprocity for the above document.



3. The Patent Holder is unwilling to grant licenses in accordance with provisions of either 1 or 2 above.

In this case, the following information must be provided to ITU, and is strongly desired by ISO and IEC, as part of this declaration:

- granted patent number or patent application number (if pending);
- an indication of which portions of the above document are affected;
- a description of the patent claims covering the above document.

**Free of charge:** The words "free of charge" do not mean that the Patent Holder is waiving all of its rights with respect to the essential patent. Rather, "free of charge" 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 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.

**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 free of charge or under reasonable terms and conditions.

**Signature:**

Patent Holder

Applied Micro Circuits Corporation

Name of authorized person

Robert Fanfelle

Title of authorized person

Associate Vice President

Signature

Place, Date

Sunnyvale CA USADec 9, 2008

Patent Information (desired but not required for options 1 and 2; required in ITU for option 3 (NOTE))				
No.	Status [granted/ pending]	Country	Granted Patent Number or Application Number (if pending)	Title
1	pending	USA	10/395,843	10 GBE SIGNAL MAPPING TO OTU2 SIGNAL
2				
3				

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

-----

RZ