

PATENT STATEMENT AND LICENSING DECLARATION FORM FOR  
ITU-T OR ITU-R RECOMMENDATION | ISO OR IEC DELIVERABLE



**Patent Statement and Licensing Declaration  
for ITU-T or ITU-R Recommendation | ISO or 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:

Director  
Telecommunication  
Standardization Bureau  
International Telecommunication  
Union  
Place des Nations  
CH-1211 Geneva 20,  
Switzerland  
Fax: +41 22 730 5853  
Email: tsbdir@itu.int

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  
8 Chemin de Blandonnet  
CP 401  
1214 Vernier, Geneva  
Switzerland  
Fax: +41 22 733 3430  
Email:  
patent.statements@iso.org

General Secretary  
International Electrotechnical  
Commission  
3 rue de Varembé  
CH-1211 Geneva 20  
Switzerland  
Fax: +41 22 919 0300  
Email:  
inmail@iec.ch

**Patent Holder:**

Legal Name Ciena Corporation

**Contact for license application:**

Name & Robert D. Kucler, VP & Head of Intellectual Property

Department \_\_\_\_\_

Address 7035 Ridge Road

Hanover, MD 21076, United States

Tel. (410) 694-3879

Fax \_\_\_\_\_

E-mail rkucler@ciena.com

URL (optional) www.ciena.com

**Document type:**



**ITU-T Rec. (\*)**



**ITU-R Rec. (\*)**



**ISO Deliverable (\*)**



**IEC Deliverable (\*)**

(please return the form to the relevant Organization)



**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 G.709, G.709.1, G.709.2, G.709.3, G.709.4, G.709.5, G.709.6

(\*)Title “Interfaces for the optical transport network”, “Flexible OTN short-reach interfaces”, “OTU4 long-reach interface”, “Flexible OTN long-reach interfaces”, “OTU25 and OTU50 short-reach interfaces”, “Flexible OTN short-reach interfaces”, “Flexible OTN B400G long-reach interfaces”

**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, 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 X 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, ISO and/or 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 Patents 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 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 same above document sign a license agreement that contains other reasonable terms and conditions such as those relating to governing law, field of use, warranties, etc.

**Reciprocity:** 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 Patent(s) for implementation of the same above document Free of Charge or under reasonable terms and conditions.


**Patent:** The word "Patent" means those claims contained in and identified by patents, utility models and other similar statutory rights based on inventions (including applications for any of these) solely to the extent that any such claims are essential to the implementation of the same above document. Essential patents are patents that would be required to implement a specific Recommendation | Deliverable.

**Assignment/transfer of Patent rights:** Licensing declarations made pursuant to Clause 2.1 or 2.2 of the Common Patent Policy for ITU-T/ITU-R/ISO/IEC shall be interpreted as encumbrances that bind all successors-in-interest as to the transferred Patents. Recognizing that this interpretation may not apply in all jurisdictions, any Patent Holder who has submitted a licensing declaration according to the Common Patent Policy - be it selected as option 1 or 2 on the Patent Declaration form - who transfers ownership of a Patent that is subject to such licensing declaration shall include appropriate provisions in the relevant transfer documents to ensure that, as to such transferred Patent, the licensing declaration is binding on the transferee and that the transferee will similarly include appropriate provisions in the event of future transfers with the goal of binding all successors-in-interest.

<b>Patent Information</b> (desired but not required for options 1 and 2; required in ITU, ISO and IEC for option 3 (NOTE))				
<b>No.</b>	<b>Status</b> [granted/ pending]	<b>Country</b>	<b>Granted Patent Number or Application Number (if pending)</b>	<b>Title</b>
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

☐ Check here if additional patent information is provided on additional pages.

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

<b>Signature (include on final page only):</b>	
Patent Holder	<u>Ciena Corporation</u>
Name of authorized person	<u>Robert D. Kucler</u>
Title of authorized person	<u>VP &amp; Head of IP</u>
Signature	<u></u>
Place, Date	<u>Pittsburgh, PA USA, November 29, 2023</u>

FORM version: 2 November 2018