

Patent Statement and Licensing Declaration Form for an Ecma International Standard



*Patent Statement and Licensing
Declaration for an Ecma
International Standard
Version 1 (approved Dec. 2009)*

This declaration does not represent an implied license grant

Please return to the Ecma Secretariat as instructed below per document type:

Secretary General
Ecma International
Rue du Rhône 114
CH-1204 Geneva
Switzerland

Patent Holder/Organization:

Legal Name _____

Contact for license application:

Name &
Department _____

Address _____

Tel. _____

Fax _____

E-mail _____

URL (optional) _____

Document type:

ECMA Standard (*)

(*)Number _____

(*)Title _____

Licensing declaration:

The Patent Holder holds granted patents and/or pending applications, the use of which it believes may be required to implement the above standard and hereby declares, in accordance with the Ecma Code of Conducts in Patent Matters and for those patent claims that end up being required to implement the final version of the Ecma International Standard, 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 standard.
Negotiations are left to the parties concerned and are performed outside of Ecma International.

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

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 standard, 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 above standard.

Negotiations are left to the parties concerned and are performed outside of Ecma International.

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

3. The Patent Holder is not prepared to grant licenses in accordance with provisions of either 1 or 2 above. In this case, the following information must be provided as part of this declaration:

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

Free of charge: The term "free of charge" does 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 abide by other reasonable terms and conditions consistent with the Patent Holder's commitments under this Form 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 for free or under reasonable terms and conditions.

Signature:

Organization _____

Name of authorized Person _____

Title of authorized person _____

Signature _____

Place, Date _____

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