

# PWG Patent Statement

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PWG standards may include the known use of essential patents and patent applications provided the PWG Chair receives assurance from the patent holder or applicant with respect to patents whose infringement is, or in the case of patent applications, potential future infringement the applicant asserts will be, unavoidable in a compliant implementation of either mandatory or optional portions of the standard. This assurance shall be provided without coercion. This assurance shall be either:

a) A general disclaimer to the effect that the patentee will not enforce any of its present or future patent(s) whose use would be required to implement either mandatory or optional portions of the proposed PWG standard against any person or entity complying with the standard; or

b) A statement that a license for such implementation will be made available without compensation or under reasonable rates, with reasonable terms and conditions that are demonstrably free of any unfair discrimination.

The PWG is not in a position to give authoritative or comprehensive information about evidence, validity or scope of patents or similar rights, but it is desirable that any available information should be disclosed. Therefore, all PWG members shall, from the outset, draw PWG's attention to any relevant patents either their own or of other organizations including their Affiliates that are known to the PWG members or any of their Affiliates, although PWG is unable to verify the validity of any such information.

## Inappropriate Topics for PWG Meetings

- Don't discuss the validity/essentiality of patents/patent claims
  - Don't discuss the cost of specific patent use
  - Don't discuss licensing terms or conditions
  - Don't discuss product pricing, territorial restrictions, or market share
  - Don't discuss ongoing litigation or threatened litigation
- Don't be silent if inappropriate topics are discussed
- ... do formally object.