

[Submitter Letterhead]

[Date]

General Counsel - Patents
[Submitter]

Re: _____

I am the Chair of the Accellera Systems Initiative _____ Working Group ("WG") [designation of WG]. Through the course of development of Accellera standard (*title of standard under development*), it has come to my attention that your organization may have "Essential Patent Claims" with respect to this standard. Essential Patent Claims, as defined by the Accellera IP Rights Policy, are any Patent Claims the use of which was necessary to create a compliant implementation of either mandatory or optional portions of the normative clauses of the Proposed Accellera Standard when, at the time of approval of the Proposed Accellera Standard, there was no commercially and technically feasible non-infringing alternative.

According to the Accellera IP Rights Policy, WG Chairs to whom patent issues have been raised shall solicit Letters of Assurance for Essential Patent Claims ("Letters of Assurance") from patent holders having potential Essential Patent Claims. As the individual within your organization having authority for intellectual property rights management, Accellera would appreciate your completing and signing the attached Letter of Assurance and returning it to Accellera via mail or e-mail:

Accellera Systems Initiative
8698 Elk Grove Blvd. Suite 1 #114
Elk Grove, CA 95624 USA
Attn: Lynn Garibaldi

Email: lynn@accellera.org

As Chair of this WG, I would appreciate a copy for my records as well.

All published Accellera Standards include the following disclaimer at the beginning of the standard:

"Attention is called to the possibility that implementation of this standard may require use of subject matter covered by patent rights. By publication of this standard, no position is taken with respect to the existence or validity of any patent rights in connection therewith. Accellera is not responsible for identifying Essential Patent Claims for which a license may be required, for conducting inquiries into the legal validity or scope of Patent Claims or determining whether any licensing terms or conditions provided in connection with submission of a Letter of Assurance, if any, or in any licensing agreements are reasonable or nondiscriminatory. Users of this standard are expressly advised that determination of the validity of any patent rights, and the risk of infringement of such rights, is entirely their own responsibility. Further information may be obtained from the Accellera IP Rights Committee. "

Additionally, when a Letter of Assurance is received from a known patent holder prior to publication of the specified standard, the following language is included in the front matter of the standard:

"Attention is called to the possibility that implementation of this standard may require use of subject matter covered by patent rights. By publication of this standard, no position is taken with respect to the existence or validity of any patent rights in connection therewith. A patent holder or patent applicant has filed a statement of assurance that it will grant licenses under these rights without compensation or under reasonable rates, with reasonable terms and conditions that are demonstrably free of any unfair discrimination to applicants desiring to obtain such licenses. Other Essential Patent Claims may exist for which a statement of assurance has not been received. Accellera is not responsible for identifying Essential Patent Claims for which a license may be required, for conducting inquiries into the legal validity or scope of Patent Claims, or determining whether any licensing terms or conditions provided in connection with submission of a Letter of Assurance, if any, or in any licensing agreements are reasonable or non-discriminatory. Users of this standard are expressly advised that determination of the validity of any patent rights, and the risk of infringement of such rights, is entirely their own responsibility. Further information may be obtained from the Accellera IP Rights Committee. "

Accellera's IP Rights Policy states that the assurance is irrevocable once submitted and accepted and shall apply, at a minimum, from the date of the standard's approval to the date of the standard's withdrawal. For your reference, the complete Accellera IP Rights Policy, including definition of terms, can be found at www.accellera.org/about/policies.

Please address questions to the Administrator, Accellera IP Rights Committee.

Sincerely,

[Name]
Chair, _____ Working Group [designation of WG]
[Mailing Address]
[Phone/Fax/Email]