

ATSC

Disclosure Statement and Licensing Declaration

This declaration does not represent an implied license grant

Please return to:

**President
ATSC**

**1750 K Street NW
Suite 1200
Washington, DC 20006
202-872-9160 – Office
202-872-9161 – Fax**

Discloser:

**Name of
Participant**

Fraunhofer-Gesellschaft zur Förderung der angewandten Forschung e.V.

Contact Information for Participant's Representative:

**Name of
Representative**

Dr. Helmut Schubert

Address

Hansastraße 27C
80686 München

Tel.

+49 89 1205-2500

Fax

+49 89 1205-7421

E-mail

helmut.schubert@zv.fraunhofer.de

URL (optional)

Identification of ATSC Specification Document relevant to the Disclosure Statement:

Number

A / 153, PART 8

Title

Working Draft, ATSC-M / H

Licensing Declaration

If the Discloser is the holder of a patent and/or pending patent application that is the subject of an Essential Claim, *i.e.*, the use of which it believes would be required to implement the identified ATSC Specification Document, the Discloser hereby declares, in accordance with the Statement on ATSC Patent Policy (see ATSC website), that (check one box only).

a. The Discloser agrees to make a license to the Essential Claim available without compensation upon request to all applicants for the purpose of implementing the Specification Document, which license may be conditioned upon license reciprocity with respect to the same Specification Document. Negotiations are left to the parties concerned and are performed outside of ATSC.

Mark here ___ if the Discloser's willingness to license is conditioned on reciprocity for the above ATSC Standard.

b. The Discloser agrees to make a license to the Essential Claim available upon request under reasonable and nondiscriminatory terms and conditions to all applicants for the purpose of implementing the Specification Document, which conditions may include license reciprocity with respect to the same Specification Document. Negotiations are left to the parties concerned and are performed outside of ATSC.

Mark here ___ if the Discloser's willingness to license is conditioned on reciprocity for the above ATSC Standard.

c. The Discloser will not make a license to the Essential Claim under reasonable and nondiscriminatory terms and conditions to applicants for the purpose of implementing the Specification Document.

Without Compensation: The phrase "without compensation" does not mean that the Discloser is waiving all of its rights with respect to each patent or patent application that is the subject matter of the Essential Claim. Rather, "without compensation" refers to the issue of monetary compensation; *i.e.*, that the Discloser 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 Discloser in this situation is committing to not charging any monetary amount, the Discloser is still entitled to require that the implementer of the ATSC Specification 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 Discloser shall only be required to license any prospective licensee under the stated terms (without compensation or under reasonable and nondiscriminatory terms and conditions) if such prospective licensee will commit to license its patent(s) or patent application(s) forming the subject matter of an Essential Claim under similar (without compensation or under reasonable and nondiscriminatory) terms and conditions.

Disclosure of Patents

In accordance with Sections 3 and 4 of the ATSC Patent Policy, please identify each patent or patent application forming the subject matter of any Potential Claim of which any Representative of the Discloser who is active in an ATSC technology group or specialist group has actual personal knowledge. The Discloser, in good faith, believes that the Potential Claim may be relevant to the implementation of the Specification Document identified by this Disclosure Statement.

No.	Patent / Application No. and Country	Patent / Application Holder	Status [granted/pending]
1	EP 0612156	Fraunhofer-Gesellschaft	granted
2	EP 0954909	Fraunhofer-Gesellschaft	granted
3	EP 0910927	Fraunhofer-Gesellschaft	granted
4	EP 0931386	Fraunhofer-Gesellschaft	granted
5	US 6,766,293	Fraunhofer-Gesellschaft	granted
6	US 6,771,777	Fraunhofer-Gesellschaft	granted
7	US 6,424,939	Fraunhofer-Gesellschaft	granted
8	JP 3878952	Fraunhofer-Gesellschaft	granted
9	JP 3622982	Fraunhofer-Gesellschaft	granted
10	JP 3577324	Fraunhofer-Gesellschaft	granted
11	JP 2739377	Fraunhofer-Gesellschaft	granted
12	KR 0304055	Fraunhofer-Gesellschaft	granted
13	KR 0316582	Fraunhofer-Gesellschaft	granted
14	KR 0346066	Fraunhofer-Gesellschaft	granted
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Disclosure of Information

In accordance with Sections 3 and 4 of the ATSC Patent Policy, if the Discloser has made a licensing declaration under paragraph (c) above, please provide the following information.

- **an identification of each patent or patent application that is the subject matter of the Essential Claim;**
- **an identification of specific section(s) or text of the Specification Document that are relevant to the Essential Claim; and**
- **an identification of each patent or patent application claim covering the Specification Document.**

This information is informal in nature and does not constitute a legal opinion, but should be based on "good faith and belief" of the Discloser. Information provided in this section does not represent a formal "notice" that implementation of any resulting ATSC Standard or Recommended Practice would infringe any patent or patent application for the Essential Claim.

Completed By:

Name of Participant

Fraunhofer-Gesellschaft zur Förderung der angewandten Forschung e.V.

Name of Representative

Dr. Helmut Schubert

Title of Representative

Head of Patent Department

Signature



Dr. Werner Liebler

Deputy Head of Patents and Licensing
Fraunhofer-Gesellschaft zur Förderung
der angewandten Forschung e.V.

Place, Date

Munich, November 26, 2008

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