



QUALCOMM Incorporated

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San Diego, CA 92121-1714
858-587-1121

www.qualcomm.com

December 20, 2016

Via Email and Federal Express

Attn: Daro Bruno
ATSC
1776 K STREET NW 8th FLOOR
WASHINGTON, DC 20006-2304

Re: ATSC Candidate Standard: Part 1, Audio Common Elements (A/342) (S34-187r12)

Dear Sir,

Enclosed please find Qualcomm Incorporated's IPR Disclosure Statement and Licensing Declaration form for ATSC Candidate Standard: Part 1, Audio Common Elements (A/342) (S34-187r12).

Per Sections 1 and 3 of the ATSC Patent Policy attached are copies of Qualcomm Incorporated's Patent Statement and Licensing Declaration form sent to ISO/IEC for the following normative reference as cited in the above referenced ATSC Specification Candidate Standard:

ISO/IEC: "Information technology – Dynamic adaptive streaming over HTTP (DASH) – Part 1: Media presentation description and segment formats," Doc. 23009-1:2014, International Standards Organization, Geneva, Switzerland, 15 May 2014 (normatively referenced in ATSC Candidate Standard-Part 1, Audio Common Elements (A/342) (S34-187r12)).



Please confirm receipt of this declaration at your earliest convenience via email to ip.disclosure@qualcomm.com. If you have any questions or concerns, please contact me directly at 858-587-1121. Thank you for your time and assistance with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'TRR', with a long horizontal line extending to the right.

Thomas R. Rouse
VP & Legal Counsel
Standards Policy and Compliance
Qualcomm Incorporated

TR/go

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: QUALCOMM Incorporated

Contact Information for

Participant's Representative: Thomas R. Rouse, VP & Legal Counsel,
Standards Policy and Compliance

Name of Representative: Thomas R. Rouse, VP & Legal Counsel,
Standards Policy and Compliance

Address: 5775 Morehouse Drive, San Diego, CA 92121

Tel. No.: 858-587-1121

Fax: 858-658-2503

Email: ip.disclosure@qualcomm.com

URL (optional): www.qualcomm.com

Identification of ATSC Specification Document relevant to the Disclosure Statement:

Number: S34-187r12

Title: ATSC Candidate Standard: Part 1, Audio Common Elements (A/342)

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.

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: QUALCOMM Incorporated

Name of Representative: Thomas R. Rouse

Title of Representative: VP & Legal Counsel, Standards Policy & Compliance

Signature: 

Place, Date: San Diego, CA December 20, 2016

Patent Statement and Licensing Declaration Form for ITU-T/ITU-R Recommendation | ISO/IEC Deliverable



**Patent Statement and Licensing Declaration
for ITU-T/ITU-R Recommendation | ISO/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	Director	Secretary-General	General Secretary
Telecommunication Standardization Bureau International Telecommunication Union Place des Nations CH-1211 Geneva 20, Switzerland Fax: +41 22 730 5853 Email: ts@itu.int	Radiocommunication Bureau International Telecommunication Union Place des Nations CH-1211 Geneva 20, Switzerland Fax: +41 22 730 5785 Email: brmail@itu.int	International Organization for Standardization 1 Chemin de la Voie-Creuse CH-1211 Geneva 20 Switzerland Fax: +41 22 733 3430 Email: patent_statements@iso.org	International Electrotechnical Commission 3 rue de Varembe CH-1211 Geneva 20 Switzerland Fax: +41 22 919 0300 Email: inmail@iec.ch

Patent Holder:	
Legal Name	<u>QUALCOMM Incorporated</u>
Contact for license application:	
Name & Department	<u>Thomas R. Rouse, VP QTL Patent Counsel</u>
Address	<u>5775 Morehouse Drive</u> <u>San Diego, CA 92121</u>
Tel.	<u>858-587-1121</u>
Fax	<u>858-658-2503</u>
E-mail	<u>trouse@qualcomm.com</u>
URL (optional)	<u>qualcomm.com</u>
Document type:	
<input type="checkbox"/> ITU-T Rec. (*) <input type="checkbox"/> ITU-R Rec. (*) <input checked="" type="checkbox"/> ISO Deliverable (*) <input checked="" type="checkbox"/> IEC Deliverable (*)	
(please return the form to the relevant Organization)	
<input type="checkbox"/> 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)	
<input checked="" type="checkbox"/> ISO/IEC Deliverable (*) (for ISO/IEC Deliverables, please return the form to both ISO and IEC)	
(*)Number	<u>ISO/IEC 23009-1</u>
(*)Title	<u>Information technology -- Dynamic adaptive streaming over HTTP (DASH) -- Part 1: Media presentation description and segment formats</u>

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 claims 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 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, and is strongly desired by ISO and 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 patent claims 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 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 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 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 free of charge or under reasonable terms and conditions.

Signature:

Patent Holder	<u>QUALCOMM Incorporated</u>
Name of authorized person	<u>Thomas R. Rouse</u>
Title of authorized person	<u>VP, QTL Patent Counsel</u>
Signature	
Place, Date	<u>San Diego, California November 9, 2011</u>

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

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