

Standards-related Patent Databases: Needs and Trade-offs

November 22, 2010

**Amy Marasco
General Manager, Standards Strategy
Microsoft Corporation**

Needs

- **Primary use of databases – help prospective implementers determine what they will do vis-à-vis possible holders of possibly essential patent claims**
- **Want to be able to check what disclosures were made by what entities in connection with a specific standard**
 - **Key pieces of data:**
 - **Who are the patent holders?**
 - **What patents (general or specific)?**
 - **What is the specific licensing commitment?**

Needs

- **What does an implementer do with this information?**
 - Any implementer will consider the information in the context of its affected product(s) and make decisions
 - This consideration about licensing issues likely will involve patents that go beyond just the essential claims of a single standard
- **Should the implementer engage in negotiations with an identified patent holder?**
 - Depends on many factors (including but not limited to):
 - Has enough information regarding its products
 - Whether the patents are valid, enforceable and likely infringed
 - Likely value of the patents
 - Existing agreements
 - Patent portfolio positioning between the parties
 - Business models and past experiences

Trade-offs

- Challenges with regard to having effective patent databases:
 - Costs and burden for both the SSO and patent holders
 - Information in patent databases likely contains inaccuracies and is incomplete
 - Disclaimers typically highlight that the SSO is not vouching for any of the information or making any assessment as to compliance with the IPR policy
 - Updating disclosures can impose burdens
 - Many disclosures are “general”
 - Newer issue of transfer of the patent

Trade-offs

- **Challenges with regard to having effective patent databases (continued):**
 - **How is the information made accessible?**
 - **Disclosure of what was actually submitted?**
 - **Summary of the submission?**
 - **Just list of disclosing patent holders?**
 - **No database?**
 - **Which version of what policy applies to which disclosures?**

Sample – ITU-T IPR Declarations

IPR Search Form

Search Reset

ITU-T ITU-R

Patents -- Patent Statement

Recommendation No.:
(Not Specified)
E.681
O.107
or # e.g. G.107 or G.9

ITU-T Registration Date:
 (YYYY-MM-DD)
 After Before

Submitter:
Patent Holder/Organization:
(Not Specified)
ZWire, Inc.
Com Corp

Country:
(Not Specified)
Belgium
Canada

Patent:
Patent Country:
(Not Specified)
Argentina
Australia

Patent Number:
(Not Specified)

Patent Application Number:
(Not Specified)

Licensing Option:
 All 1 2 3

Output Options:
 Sorted By

Intellectual Property Rights (IPR) in ITU-T Recommendations

This database is not certified to be either accurate or complete, but only reflects the information that has been communicated to ITU-T secretariat. The references to patents or patent applications have been included as notified to ITU-T secretariat. ITU-T secretariat has not verified the veracity or accuracy of such statements, nor the relevance of the identified patents or patent applications to ITU-T Recommendations.

Selected Options : Recommendation No.: T.800 | Sorted by: Id_Num, Rec_Num

PATENT STATEMENT

Results 1-20 of 29 << page 1 >> 20 records per page max

Form View **TABULAR VIEW** Customize

Statement Id	Patent Id	Rec No.	Organization	Patent	ITU-T registration date	Statement declaration date	Declaration Form	Licensing	Contact On File
T800-01	T800-01-01	T.800	Terabele Inc	5 748 116	2000-11-02	06 June 2000	(Common Text)	Option 3	Mr. Murray L. McCaslin
T800-02	None	T.800	Algo Vision plc		2000-11-27	2000-11-15	06 June 2000	Option 1...	Mr. Monica Germann
T800-03	None	T.800	Ricoh Company Ltd		2001-02-05	06 June 2000	(Common Text)	Option 1...	General Manager, Legal Division
T800-04	None	T.800	Ericsson, Telefonaktiebolaget LM		2001-04-02	2001-02-15	06 June 2000	Option 1...	Mr Richard Lewinson, Corporate Marketing and Strategic Business Development, IPR and Licensing
T800-05	T800-05-01	T.800	William A. Pearlman	5 959 560	2001-03-01	2001-02-20	06 June 2000	Option 2...	Mr. William A. Pearlman
T800-06	T800-05-02	T.800	William A. Pearlman		2001-03-01	2001-02-20	06 June 2000	Option 2...	Mr. William A. Pearlman
T800-07	T800-07-01	T.800	Mitsubishi Electric Corp.	21 28 110	2001-03-05	2001-03-02	01 January 1999	Option 1...	Corporate Licensing Department/ Ath. Mr. Ryo Tokunaga
T800-07	T800-07-02	T.800	Mitsubishi Electric Corp.	27 83 221	2001-03-05	2001-03-02	01 January 1999	Option 1...	Corporate Licensing Department/ Ath. Mr. Ryo Tokunaga
T800-07	T800-07-03	T.800	Mitsubishi Electric Corp.	21 28 115	2001-03-05	2001-03-02	01 January 1999	Option 1...	Corporate Licensing Department/ Ath. Mr. Ryo Tokunaga
T800-07	T800-07-04	T.800	Mitsubishi Electric Corp.		2001-03-05	2001-03-02	01 January 1999	Option 1...	Corporate Licensing Department/ Ath. Mr. Ryo Tokunaga

Sample – ITU-T Disclaimer


“This database is not certified to be either accurate or complete, but only reflects the information that has been communicated to the ITU secretariat. The ITU secretariat has not verified the veracity or accuracy of such statements, nor the relevance of the identified patents or patent applications to ITU Recommendations.”

Sample – IETF IPR Declarations

Generic IPR Disclosures

Date Submitted	ID #	Title of IPR Disclosure
2010-08-22	1382	HUAWEI SYMANTEC TECHNOLOGIES CO., LTD 's General License Statement
2010-04-24	1318	Barry Constantine's General License Statement (2) This IPR disclosure was removed at the request of the submitter.
2010-04-07	1310	Barry Constantine's General License Statement (1) This IPR disclosure was removed at the request of the submitter. Updated by ID #1318 .
2010-04-04	1309	Certichron's General License Statement
2009-07-20	1176	QUALCOMM Incorporated's General License Statement Updates ID #617 .
2009-02-20	1105	WiChorus' General License Statement
2008-12-17	1044	GROUPE DES ECOLES DES TELECOMMUNICATIONS - ECOLE NATIONALE SUPERIEURE DES TELECOMMUNICATIONS 's General License Statement
2008-12-12	1043	Avaya Inc.'s General License Statement (3) Updates ID #934 .
2008-03-06	934	Avaya Inc.'s General License Statement (2) Updates ID #694 . Updated by ID #1043 .
2007-06-26	859	QUALCOMM Incorporated's General License Statement

Sample – IETF IPR Search Screen

 datatracker.ietf.org [Sign In](#)

Working Groups

- Applications ▶
- Internet ▶
- Ops & Mgmt ▶
- RAI ▶
- Routing ▶
- Security ▶
- Transport ▶
- Active WGs
- Concluded WGs
- Non-WG Lists

Drafts & RFCs

Search

[Submit a draft](#)

Meetings

- Agenda
- Materials
- Past Proceedings
- Upcoming

Other Documents

- IPR Disclosures
- Liaison Statements
- IESG Agenda

IPR Search

Document Search

I-D filename (draft-...):

RFC Number:

Keyword Search

Name of patent owner/applicant:

Characters in patent information (Full/Partial):

* The search string must contain at least three characters, including at least one digit, and include punctuation marks. For best results, please enter the entire string, or as much of it as possible.

Working group name:

Words in document title:

Words in IPR disclosure title:

[Back to IPR Disclosure Page](#)

Sample – IETF Disclaimer

“The IETF takes no position regarding the validity or scope of any intellectual property rights or other rights that might be claimed to pertain to the implementation or use of the technology described in any IETF documents or the extent to which any license under such rights might or might not be available; nor does it represent that it has made any independent effort to identify any such rights.”

Sample – IEEE IPR Declarations

IEEE Std 31-754

Std No.	Patent Owner	Contact for License	Patent Serial No. (if indicated)	Letter Date	Assurance Received	Date record entered or revised (if known)
31	Sparton Technology, 4901 Rockaway Blvd. SE, Rio Rancho, NM 87124-4469	Jim Harper - Director of Contracts Tel: 505-892-5300 Fax: 505-892-5515	5,010,568 (US)	18-Oct-94	yes	
287	Agilent Technologies, Inc. , 5301 Stevens Creek Blvd, Santa Clara CA 95051-7201	Doug Kundrat-Director of Intellectual Property, MS: A1-PB, tel: +1-408-553-3052, email: Doug_Kundrat@agilent.com	not indicated	6-Sep-2006	yes	23-Jan-2008
488.1	National Instruments, 6504 Bridge Point Parkway, Austin, Texas 78730-5039	Robert Canik GPIB Engineering Manager, Tel: 512-794-5519, Fax: 512-795-6954	not indicated	4-Nov-94	yes	
743	Bellcore, 445 South Street MCC-1A150R, Morristown, New Jersey 07960-6438	Lionel N. White, Counsel Intellectual Property tel: 201-829-2354 fax: 201-829-2366	not indicated	20-Aug-91	yes	
743	Sage Instruments, 240 Airport Boulevard, Freedom, California 95019-2614	Thomas J. Fisher Director of Operations, tel: 408-761-1000, fax: 408-761-1008	5,397,992 (US)	15-May-95	yes	
743	AT&T, 10 Independence Boulevard, P. O. Box 4911, Warren, New Jersey 07060-0911	Ray C. Walborn - Manager, Intellectual Property, tel: 201-580-4000, fax: 201-580-6355	not indicated	1-Apr-91	yes	

Sample – IEEE Disclaimer

“Note to all readers: The IEEE is not responsible for identifying patents or patent applications for which a license may be required to implement an IEEE standard or for conducting inquiries into the legal validity or scope of those patents that are brought to its attention.”


“Note to all readers: The IEEE takes no position with respect to the reasonableness of rates, terms, and conditions of the license agreements offered by patent holders or patent applicants. To that end, the IEEE will not review and does not endorse the contents nor confirm the continuing accuracy or consistency of any web sites listed in any patent letters of assurance received.”

Sample – ATSC IPR Declarations

ATSC Patent Statements



Thursday, 24 September 2009 08:36

 Patent Statement List

A/52 Digital Audio Compression (AC-3) Standard

[Dolby](#) 09/06/1994

[Dolby](#) 06/30/2003

A/53 ATSC Digital Television Standard

[ATI](#) 07/17/2003

[AT&T](#) 01/12/2005

[Dolby](#) 09/06/2004

[General Instrument](#) 02/24/1995

[LG Electronics](#) 11/06/2003

[Lucent](#) 11/17/1999

[MIT](#) 02/22/1995

[Philips](#) 02/23/1995

[RCA](#) 02/27/1995

[Sarnoff](#) 02/13/1995

[Sony](#) 03/16/2007

[Zenith](#) 02/28/1995

[Zenith](#) 07/28/2003

A/65 Program and System Information Protocol for Terrestrial Broadcast and Cable

[LG Electronics](#) 12/23/2005

[Next Level](#) 12/19/1997

[Trivision](#) 05/11/2005

[Thomson](#) 10/27/1997

Sample – ATSC Disclaimer

- None