



Summary of DVB's PR Policy

Article 14 of the Memorandum of Understanding of the DVB Project sets out its IPR policy. This document out a summary of aspects of the policy. Please refer to article 14 which is the controlling document.

A.

The Steering Board has reconfirmed the DVB's [policy on copyright](#).

It has also reconfirmed the importance of the separate IPR policies of standards bodies to which the DVB's specifications may be submitted. For example, members are reminded of the [policy](#) of the European Telecommunications Standards Institute in notices sent to members at the time of adoption of specifications.

Article 14 has several important elements, presented in paragraphs B, C and E below.

B.

Our members are obligated to grant licences to their IPRs essential to DVB specifications on terms fair, reasonable and non-discriminatory (Article 14.2)

Disputes on the terms offered by a member may be resolved by arbitration. (Article 14.7)

C.

If a member is not able to grant such a licence, it must give notice. (Articles 14.1, 14.3)

We call this process “negative disclosure”, contrasting with the approach of other bodies calling for affirmative disclosure of IPRs held by a member.

It might be worth noting that no DVB member has yet given a notice under either article 14.1 or article 14.3.

D.

DVB also offers a Facility for Voluntary Disclosure of Patents. Using this Facility, patent holders may, on a voluntary basis, declare their specific patents, or published applications, containing claims that are potentially essential to a DVB specification.

- The database for voluntarily disclosed patents can be found [here](#).
- DVB provides a patent [information statement](#) to be completed for voluntary disclosure.

An [explanatory note](#) gives further details of this facility.

E.

The DVB fosters the formation of voluntary joint licensing programmes covering DVB specifications. (Article 14.9) Here is a [list of links to licensing programmes](#) – both completed or in formation - covering DVB standards.

The DVB fosters by applying a number of tools to encourage patent holders to form patent pools promptly after standardisation. These tools include:

- a mechanism for early confirmation by a technology contributor of its willingness to participate in a pooling effort;
- information meetings of patent holders and other interested parties while the specification is under development;
- a process for a “light-touch” essentiality review to determine eligibility for participation in initial meetings of a pooling effort;
- provision of DVB technical expertise in helping to define the scope of a pooling effort and in “peer review”;
- monitoring of the facilitation of the formation of a programme; and
- a forum for exchange of views among DVB member on the terms offered by a licensing programme.

F.

The DVB coordinates its IPR policy with the policies of sister standards fora. When considering a liaison, DVB reviews the IPR policy of the sister forum. It generally expects that the forum has a policy comparable to DVB’s or in line with broadly accepted principles (for example, those adopted by ANSI). (If the forum has a different policy, DVB may ask that its participants that are not members of DVB sign a statement agreeing with DVB’s own policy.) Thereafter DVB and the forum negotiate a liaison agreement. Over time, the form of the agreement has become virtually standardised. Further information on liaisons can be obtained from eltzroth@dvb.org.

In addition, DVB has developed procedures for links with sister fora based on its Globally Executable MHP (GEM).

DVB has a [policy on normatively referenced materials](#). The policy sets out DVB’s approach to review of the IPR policy of another standards body before permitting its specifications to be normatively referenced in DVB specification. DVB has established a [list of qualifying standards bodies](#).

It is important that our sister fora understand, in addition to the DVB Project's IPR policy, our [policy on document disclosure](#).

In very rare circumstances a contribution is made to a DVB specification by an entity which is neither a DVB member nor a member of a sister forum. We expect that such an entity to

sign a [statement](#) ensuring the availability of the IPRs it holds which are essential to the DVB specification on terms comparable to those binding DVB members.

G.

At times, the IPR licensing arrangements for certain DVB specifications are completed at the same time as the specification setting process. The first such specification was the Common Scrambling Algorithm. The licensing arrangements for that specification are available from www.etsi.org.

(Until 2012 a compliance and licensing programme related to DVB's Multimedia Home Platform was managed by ETSI. That programme has been discontinued. The licensing and trademark authorisation arrangements for DVB-MHP now follow DVB's general practice presented in this summary. A DVB BlueBook, A066r1, describes the discontinued programme.)

H.

The DVB Project owns the DVB, MHP and other marks. For authorisation to use these marks, see www.dvbservices.com.

I.

The DVB Project has an Intellectual Property Rights Module whose objective is described in article 9 MoU. DVB members can participate in the work of the IPRM. If you are a DVB member and would like to follow the work of the IPRM, please login to this website and alter your profile accordingly.

J.

Questions on the IPR policy of the DVB Project can be addressed to the Chairman IPRM, Georg Nolte , Georg.Nolte@eu.panasonic.com, or to DVB's Legal Director, Carter Eltzroth, eltzroth@dvb.org.