

Statement on licensing IPRs essential to a DVB specification

This is the statement of _____ (the “Company”) in respect of licensing of certain of its intellectual property rights. The Company is not a member of the DVB Project. The Company holds, or may hold, patent and other rights which are potentially essential to the DVB specification _____ (the “Specification”).^{1*}

Among these rights is patent no. _____.ⁱⁱ

The Company agrees on behalf of itself and its affiliated companies to be bound to the terms and conditions of article 14 of the Statutes of the DVB Project (all terms in this letter are, unless otherwise defined, used as defined in such Statutesⁱⁱⁱ), as if it were a Member, but only with respect to the Specification.

This statement is irrevocable. The Company agrees that it will neither submit a list of IPRs under article 14.1 nor make a declaration under article 14.3.

In making this statement, the Company intends to be legally bound. The obligations created under this statement (or by reference to article 14 of the Statutes) may be enforced by the DVB Project, any Member or any third party described in article 14.2. This statement shall be governed where applicable by article 14.7 of the Statutes and otherwise by the laws of Switzerland and the Company is subject to the non-exclusive jurisdiction of the courts of the canton of Geneva, Switzerland.

IN WITNESS WHEREOF, the Company has caused this statement to be executed by its duly authorised representative.

[NAME OF COMPANY]

by _____

Name:

Title:

Date:

* See the endnotes on the next page. If you have questions about this document, please contact the DVB Legal Director, eltzroth@dvb.org.

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- ⁱ Alternatively the statement could refer to a work item not yet completed within DVB.
- ⁱⁱ When the DVB specification is submitted to a recognised standards body, such as the European Telecommunications Standards Institute, your essential IPR should be identified. For DVB purposes, it is sufficient to promise to grant licences to your IPRs essential to the DVB specification without a precise identification of the IPRs. Note that the statement covers *all* your IPR essential to the specification; it is not limited to the identified patent. Please strike this sentence if you choose not to identify your IPR, or are uncertain as to whether you have essential IPR, or believe you have none.
- ⁱⁱⁱ As used in this Statement, the term “Affiliate” also includes, in respect of an academic institution, research institute or non-profit body, any employee, person accepting an appointment from such body, or consultant.