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REQUEST FOR A DVB PATENT POOL COORDINATOR

Geneva, 4 September 2001 - The DVB Project is calling today for proposals from those wishing to serve as DVB Patent Pool Coordinator as part of the DVB's effort to foster the creation of a licensing arrangement for its MHP and other recent specifications. This request for proposals is linked to its call, issued today, for declarations of intellectual patent rights essential to the DVB specifications adopted since May 1997. This follows a process consistent with the provisions of article 14.9 of the DVB's Memorandum of Understanding under which the DVB fosters the creation of a voluntary, agreed-upon, joint licensing programme of IPRs essential to each of its specifications.

As part of this fostering process, an independent specialist will assess the claims made by declarants as to the essentiality of their intellectual property rights. The DVB is asking for proposals from those individuals and companies interested in serving as this independent specialist.

In its first call, the DVB used the services of a single English patent lawyer who was responsible for assessing the claims of declarants, commenting to the declarants on the strength of their claims, rejecting some of the claims and ultimately deciding on which declarants should be invited to form the licensing programme which has become the DVB-T pool administered today by MPEG LA. These activities were undertaken on a confidential basis until the rights holders announced that they intended to form a licensing programme. On certain technical matters, the assessor relied on the expertise of the DVB Project Office and DVB members. A similar process is contemplated for this call for declarations.

The independent specialist, who will be consultant to the DVB Project, will be expected, upon terms of the strictest confidentiality and independence, to:

- Receive and review the declarations submitted by rights holders,
- Where necessary, direct a declarant to make further submissions in support of its claims and engage it in a confidential discussion on the strength of its claims,
- Encourage the timely submission of declarations and, using professional judgment and experience in the field, approach other rights holders known or believed to hold essential IPRs,
- When a "critical mass" of rights in respect of any specification has been identified, encourage the rights holders to consider forming a licensing programme,
- Provide periodic reports to the IPR Module of the DVB and its other bodies,
- Undertake other related services at the direction of the DVB Project Office and the Chairman, IPR Module, and
- Undertake further related services if called upon (and paid for by) one or more of the licensing programmes.

Proposals are requested from both individuals and companies. While it is possible that the successful independent assessor may intend also to serve as administrator of one or more patent pools, the selection of administrator is for the rights holders.

Proposals are to be submitted by 15 October 2001. Each should include an indication of the remuneration to be paid to the assessor, a work plan on how the proposer believes the work should be undertaken, and experience in the field.

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Further information can be obtained from the DVB Project Office, or from the Chairman, IPR Module, Carter Eltzroth (email: celtzroth@mindport.com). This request for proposals is issued in conjunction with a DVB press release dated 3 September 2001 and other materials which describe this process. Please refer to those documents for a more complete description.

Background

The DVB Project

The Digital Video Broadcasting Project (DVB) is an industry-led consortium of over 300 broadcasters, manufacturers, network operators, software developers, regulatory bodies and others in over 35 countries committed to designing global standards for the delivery of digital television and data services. The DVB standards cover all aspects of digital television from transmission through interfacing, conditional access and interactivity for digital video, audio and data. The consortium came together in 1993 to create unity in the march towards global standardisation, interoperability and future proofing.

To date, there are numerous broadcast services using DVB standards. There are hundreds of manufacturers offering DVB compliant equipment, which is already in use around the world. DVB dominates the digital broadcasting world. A host of other services is also on-air with DVB-T, DVB-S and DVB-C including data on the move and high-bandwidth Internet over the air. Further information about DVB can be found at:

DVB Multimedia Home Platform (MHP)

DVB-MHP was ratified last year by the DVB Steering Board and was formally adopted by the European Telecommunications Standards Institute (ETSI) (ETSI TS 101 812 (MHP)). This action paved the way for the deployment of the open standard API (Application Program Interface), which now facilitates seamless services across broadcast, telecommunications and computer platforms. MHP defines a generic interface between interactive digital applications and the terminals on which those applications execute. The standard enables digital content providers to address all types of terminals ranging from low to high-end set-top boxes, IDTVs and multimedia PCs. With MHP, DVB extends its successful open standards for broadcast and interactive services in all transmission networks including satellite, cable terrestrial and wireless systems. Further information on MHP can be found at: www.mhp.org.

If you or a colleague would like to receive DVB press releases via e-mail please send your request to: news@whdpr.com.