

# Instructions for the WG Chair

The C63 Committee strongly recommends that at each Working Group (WG) meeting the chair or a designee:

- Show slide #1 of this presentation
- Advise the WG participants that:
  - The ANSI patent policy is described in 3.1 of the *ANSI Essential Requirements*;
  - Early identification of patent claims which may be essential for the use of standards under development is strongly encouraged;
  - There may be Essential Patent Claims of which ANSI, C63, or IEEE is not aware. Additionally, neither ANSI, C63, IEEE, the WG, nor the WG chair can ensure the accuracy or completeness of any assurance or whether any such assurance is, in fact, of a patent claim that is essential for the use of the standard under development.
- Instruct the WG Secretary to record in the minutes of the relevant WG meeting:
  - That the foregoing information was provided and that slide 1 (and this slide 0, if applicable) was shown;
  - The chair or designee provided an opportunity for participants to provide notice that a proposed ANS or an approved ANS may require the use of a patent claim, and to identify the holder of the patent claim;
  - Any notices that were provided and by whom.
- The Working Group Chair or designee shall request an assurance on the approved C63 Patent Form from the holder of the patent claim.
- Note that there is no duty to perform a patent search

# Call for Essential Patents

If anyone in this meeting is aware of the holder of any patent claims that are essential to implementation of the proposed standard(s) under consideration by this group and that are not already the subject of an Assurance Statement:

- Either speak up now or
- Provide the chair of this group with the identity of the holder(s) of any and all such claims as soon as possible or
- Cause an Assurance Statement on the C63 Patent Form to be submitted to the C63 Secretariat

# Other guidelines for C63 meetings

- **All C63 standards meetings shall be conducted in compliance with all applicable laws, including antitrust and competition laws.**
  - **Don't discuss the interpretation, validity, or essentiality of patents/patent claims.**
  - **Don't discuss specific license rates, terms, or conditions.**
    - Relative costs of different technical approaches that include relative costs of patent licensing terms may be discussed in standards development meetings.
      - **Technical considerations remain the primary focus**
  - **Don't discuss or engage in the fixing of product prices, allocation of customers, or division of sales markets.**
  - **Don't discuss the status or substance of ongoing or threatened litigation.**
  - **Don't be silent if inappropriate topics are discussed ... do formally object.**