

Instructions for the TSC Chair

Accellera strongly recommends that at each TSC meeting the chair or a designee:

- **Show slides #1 through #3 of this presentation and the antitrust/competition law slide**
- **Advise the TSC attendees that:**
 - 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 Accellera is not aware. Additionally, neither Accellera, the TSC, nor the TSC 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 TSC Secretary to record in the minutes of the relevant TSC meeting:**
 - That the foregoing information was provided and that slides 1 through 3 (and this slide 0, if applicable) and the antitrust/competition law slide were shown;
 - That the chair or designee provided an opportunity for participants to identify patent claim(s)/patent application claim(s) and/or the holder of patent claim(s)/patent application claim(s) of which the participant is personally aware and that may be essential for the use of that standard ;
 - Any responses that were given, specifically the patent claim(s)/patent application claim(s) and/or the holder of the patent claim(s)/patent application claim(s) that were identified (if any) and by whom.
- The TSC Chair shall ensure that a request is made to any identified holders of potential essential patent claim(s) to complete and submit a Letter of Assurance.
- It is recommended that the TSC chair review the guidance in Section 4.4 of the Patent Policy on inclusion of potential Essential Patent Claims.



Participants, Patents, and Duty to Inform

All participants in this meeting have certain obligations under Accellera's Patent Policy. Participants:

- Shall inform Accellera (or cause Accellera to be informed) of the identity of each holder of any potential Essential Patent Claims of which they are personally aware if the claims are owned or controlled by the participant or the entity the participant is from, employed by, or otherwise represents
 - "Personal awareness" means that the participant is personally aware that the holder may have a potential Essential Patent Claim, even if the participant is not personally aware of the specific patents or patent claims
- Should inform Accellera (or cause Accellera to be informed) of the identity of any other holders of such potential Essential Patent Claims (that is, third parties that are not affiliated with the participant, with the participant's employer, or with anyone else that the participant is from or otherwise represents)
- The above does not apply if the patent claim is already the subject of an Accepted Letter of Assurance that applies to the proposed standard(s) under consideration by this group
- Early identification of holders of potential Essential Patent Claims is strongly encouraged
- No duty to perform a patent search



Patent Related Links

All participants should be familiar with their obligations under the Accellera Patent Policy, including the antitrust and competition law guidelines. The Patent Policy and related documents are available at:

www.accelera.org

If you have questions, contact the Accellera Patent Committee Administrator at lynnh@accelera.org or visit www.accelera.org

This slide set is available at www.accelera.org



Call for Potentially Essential Patents

- If anyone in this meeting is personally aware of the holder of any patent claims that are potentially essential to implementation of the proposed standard(s) under consideration by this group and that are not already the subject of an Accepted Letter of Assurance:
 - 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 LOA to be submitted

