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## A Template for IETF Patent Disclosures and Licensing Declarations

### Status of this Memo

This document is an Internet-Draft and is in full conformance with all provisions of [Section 10 of RFC2026](#) [i]. <Editorial comment - insert updated boilerplate in conformance with Bradner submission-rights document.>

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### Abstract

This document describes a template for IETF patent disclosures and licensing declarations. Such a template may be used to inform the IETF of patent information regarding all types of IETF documents, and licensing information regarding IETF standards-track documents. The optional use of this template is meant to simplify the process of such disclosures and licensing declarations and to assist disclosers in providing the necessary information to meet the obligations documented in <insert pointer to Bradner technology-rights RFC here>.

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**[1. Introduction](#)**

RFC XXXX [ii] <RFC Editor - please substitute Bradner technology-rights RFC number here> documents the current IETF policies and obligations with respect to disclosure of patents and patent applications. It also documents the information requested in licensing declarations for IETF Proposed Standards, Draft Standards, and Standards. In the interest of making these patent disclosure and licensing declaration processes simpler, this document proposes a patent disclosure and licensing declaration template that may be optionally used as one method for IETF participants and patent holders to comply with patent disclosure requirements and licensing declaration provisions under RFC XXXX. For the latest information on how to submit a patent disclosure or licensing declaration, please see <insert URL for submission information here - same as in technology-rights (RFC XXXX)>.

**[2. The Patent Disclosure and Licensing Declaration Template](#)**

<START OF TEMPLATE>

This document is an IETF Patent Disclosure and Licensing Declaration Template and is submitted to inform the IETF of a) patent information regarding the IETF document listed in Section IV, and b) licensing information in cases where such listed document is or becomes an IETF standards track document or where the Patent Holder elects to provide this licensing information for a non-standards track document. No actual license is implied by submission of this template. Please complete and submit a separate template for each IETF document.

I. Patent Holder/Organization ("Patent Holder")

Legal Name:

II. Patent Holder's Contact for License Application

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Name:

Department:

Address:

Telephone:

Fax:

Email:

III. Contact Information for the IETF Participant Whose Personal Belief Triggered the Disclosure in this Template (Optional):

Name:

Department:

Address:

Telephone:

Fax:

Email:

IV. IETF Document or Working Group Contribution to Which Patent Disclosure Relates

Title:

RFC Number or I-D Tag:

Other Designations:

V. Disclosure of Patent Information (i.e., patents or patent applications required to be disclosed by [Section 6](#) of RFC XXXX [insert reference to Bradner's technology-rights document.]

A. For granted patents or published pending patent applications, please provide the following information:

Patent, Serial, Publication, Registration, or Application/File number(s):

Date(s) granted or applied for:

B. Does your disclosure relate to an unpublished pending patent application?

Select one: Yes \_\_\_\_\_ No \_\_\_\_\_

C. The discloser of the above patent information acknowledges that the discloser will file a new copy of this template to provide an update (if any) in the status of a disclosed patent application that has been published or granted. The discloser should also withdraw its disclosure of a patent application that is abandoned. \_\_\_\_\_

D. If an Internet-Draft or RFC includes multiple parts and it is not reasonably apparent which part of such Internet-Draft or RFC is alleged to be covered by the information disclosed in IV(A) or IV(B), the discloser should identify here the sections of the Internet-Draft or RFC that are alleged to be so covered.

VI. Licensing Declaration for IETF Proposed Standards, Draft Standards, or Standards (or for non-standards-track IETF documents at the election of the Patent Holder):

If the IETF Document referenced in Section IV above is or becomes an IETF Standards Track document (or if the Patent Holder elects to make a licensing declaration with respect to a non-Standards Track document), the Patent Holder states that its position with respect to licensing any patent claims contained in the patent(s) or patent application(s) disclosed above that would be necessary to implement the technology required by the IETF Proposed Standard, Draft Standard, or Standard (or other IETF document)("Patent Claims") is as follows (select one option only):

- \_\_\_ No License Required for Implementers
- \_\_\_ Royalty-Free, Reasonable and Non-Discriminatory License to All Implementers
- \_\_\_ Reasonable and Non-Discriminatory License to All Implementers

with Possible Royalty/Fee

\_\_\_ Licensing Declaration to be Provided Later (implies a

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willingness to license in some form to all implementers;  
otherwise, "Unwilling to License to All Implementers" must be  
selected)

\_\_\_ Unwilling to License to All Implementers

NOTE: The individual submitting this template represents and  
warrants  
that he or she is authorized by the Patent Holder to agree to the  
above-selected licensing declaration.

VII. Contact Information of Submitter of this Form (if different  
from  
IETF Participant in Section IV above)

Name:

Title:

Department:

Address:

Telephone:

Fax:

Email:

VIII. Other Notes:

<END OF TEMPLATE>

### **3. Commentary on Terms used in the Template**

The "Other Designations" field in Section IV "IETF Document" may be  
used to identify relevant IETF working group materials (oral or  
written) other than an Internet-Draft or RFC to which a disclosure  
is  
related.

Section III requests contact information for the Patent Holder's  
IETF

Participant whose personal belief that necessary patent claims were  
implicated by an IETF document or discussion caused this template to  
be filed. This is an optional section. However, if Section III is

not

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completed, then Section VII must be completed. Even if Section III is completed, Section VII must still be completed if the submitter of this template is different from the IETF participant identified in Section III.

Section VIII in the template, "Other Notes," may be used for any additional information a discloser or Patent Holder wishes to provide.

Here is an explanation of the licensing declaration options in Section VI of the template:

a) No License Required for Implementers: The Patent Holder does not require parties to acquire any license to its Patent Claims in order to implement the IETF Proposed Standard, Draft Standard, or Standard.

b) Royalty-Free, Reasonable and Non-Discriminatory License to All Implementers: The Patent Holder will, upon request, grant a license to its Patent Claims to all implementers of the IETF Proposed Standard, Draft Standard, or Standard on a royalty-free basis (i.e., no royalty or other fee) and under reasonable and non-discriminatory terms.

c) Reasonable and Non-Discriminatory License to All Implementers with Possible Royalty/Fee: The Patent Holder will, upon request, grant a license to its Patent Claims to all implementers of the IETF Proposed Standard, Draft Standard, or Standard under reasonable and non-discriminatory terms (which may include a royalty/fee).

d) Licensing Declaration to be Provided Later (implies a willingness to license in some form to all implementers): The Patent Holder is willing to license its Patent Claims in some form to all implementers of the IETF Proposed Standard, Draft Standard, or Standard, but wants to defer the declaration of its licensing type until a later point in time (or when asked for this information by the IESG). This option may not be selected if the Patent Holder is unwilling to license its Patent Claims.

e) Unwilling to License to All Implementers: The Patent Holder refuses to license its Patent Claims to all implementers of the IETF Proposed Standard, Draft Standard, or Standard, except on an implementer-by-implementer basis, in its sole discretion.

This document relates to IETF process, not any particular technology.

There are security considerations when adopting any particular

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technology, regardless of whether patents and patent applications or licensing disclosures are implicated by such technology. A working group should take those security considerations into account as one part of evaluating the technology, but there are no security considerations per se with these IETF processes.

## References

- i Bradner, S., "The Internet Standards Process -- Revision 3", [BCP 9](#), [RFC 2026](#), October 1996.
- ii Bradner, S., "Intellectual Property Rights in IETF Technology", RFC XXXX, <month> 2003.

## Acknowledgments

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