

IPR WG
Internet Draft
Document: [draft-ietf-ipr-template-03.txt](#)
Expires: December 5, 2003

V. See (editor)
Microsoft
June 5, 2003

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].

Internet-Drafts are working documents of the Internet Engineering Task Force (IETF), its areas, and its working groups. Note that other groups may also distribute working documents as Internet-Drafts.

Internet-Drafts are draft documents valid for a maximum of six months and may be updated, replaced, or obsoleted by other documents at any time. It is inappropriate to use Internet-Drafts as reference material or to cite them other than as "work in progress."

The list of current Internet-Drafts can be accessed at <http://www.ietf.org/ietf/1id-abstracts.txt>

The list of Internet-Draft Shadow Directories can be accessed at <http://www.ietf.org/shadow.html>.

Abstract

This document describes a template for IETF patent disclosures and licensing declarations. 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 RFC XXXX [ii].

Table of Contents

1. Introduction.....	2
2. The Patent Disclosure and Licensing Declaration Template.....	2
3. Commentary on Terms used in the Template.....	5
Security Considerations.....	7
References.....	7
Acknowledgments.....	7
Authors' Addresses.....	7
Full Copyright statement.....	8

[1. Introduction](#)

RFC XXXX [ii] 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 specifications. 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 <http://www.ietf.org/ipr-instructions>.

[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 or contribution listed in Section IV, and b) a Patent Holder's intention with respect to the licensing of its necessary patent claims upon approval by the IESG for publication as an RFC of the relevant IETF specification. No actual license is implied by submission of this template. Please complete and submit a separate template for each IETF document or contribution to which the disclosed patent information relates.

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

Legal Name:

II. Patent Holder's Contact for License Application

Name:

See (editor)

Expires - December 5, 2003

[Page 2]

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)

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

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

See (editor)

Expires - December 5, 2003

[Page 3]

Date(s) granted or applied for:

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

Select one: Yes _____ No _____

C. 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 Section V(A) or V(B), the discloser should identify here the sections of the Internet-Draft or RFC that are alleged to be so covered.

VI. Licensing Declaration

The Patent Holder states that, upon approval by the IESG for publication as an RFC of the relevant IETF specification, 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 such IETF specification ("Patent Claims") is as follows (select one licensing declaration option only):

- ☐ No License Required for Implementers
Check here if this licensing declaration is limited solely to standards-track IETF documents ____
- ☐ Royalty-Free, Reasonable and Non-Discriminatory License to All Implementers
Check here if this licensing declaration is limited solely to standards-track IETF documents ____
- ☐ Reasonable and Non-Discriminatory License to All Implementers with Possible Royalty/Fee
Check here if this licensing declaration is limited solely to standards-track IETF documents ____
- ☐ Licensing Declaration to be Provided Later (implies a 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

See (editor)

Expires - December 5, 2003

[Page 4]

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 III above)

Name:

Title:

Department:

Address:

Telephone:

Fax:

Email:

VIII. Other Notes:

END OF TEMPLATE

3. Commentary on Terms used in the Template

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 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.

The "Other Designations" field in Section IV 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.

See (editor)

Expires - December 5, 2003

[Page 5]

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 specification.

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 specification 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 specification 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 specification, 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 specification, except on an implementer-by-implementer basis, in its sole discretion.

Options a), b) and c) above also allow the Patent Holder to indicate (with a check) whether its licensing declaration is limited solely to standards-track documents. If left unchecked, the Patent Holder's licensing declaration will be deemed to apply to all IETF documents, including non-standards-track documents. This standards-track qualifier is not relevant to licensing declaration options d) and e), because under d) the Patent Holder has not yet indicated its specific licensing intention and under e) the Patent Holder has indicated a general refusal to license.

Section VIII in the template, "Other Notes," may be used for any additional information a discloser or Patent Holder wishes to provide. For example, a Patent Holder may use the "Other Notes" Section to indicate any other conditions on the licensing declaration option selected in Section VI (e.g., reciprocity).

See (editor)

Expires - December 5, 2003

[Page 6]

Security Considerations

This document relates to IETF process, not any particular technology. There are security considerations when adopting any particular 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

The authors acknowledge the thoughtful contributions of Harald Alvestrand and Scott Bradner to this document.

Authors' Addresses

Valerie See
Microsoft Corporation
One Microsoft Way, Redmond, WA 98052 USA
Email: vsee@microsoft.com

Robert Barr
Cisco Systems, Inc.
170 West Tasman Drive, San Jose, CA 95134 USA
Email: rbarr@cisco.com

Scott Brim
Cisco Systems, Inc.
146 Honess Lane, Ithaca, NY 14850 USA
Email: sbrim@cisco.com

Paul Gleichauf
Cisco Systems, Inc.
170 West Tasman Drive, San Jose, CA 95134 USA
Email: phg@cisco.com

See (editor)

Expires - December 5, 2003

[Page 7]

Allen Lo
Juniper Networks
1194 North Mathilda Ave., Sunnyvale, CA 94089 USA
Email: alo@juniper.net

Full Copyright statement

Copyright (C) The Internet Society (2003). Except as set forth below, authors retain all their rights.

This document and translations of it may be copied and furnished to others, and derivative works that comment on or otherwise explain it or assist in its implementation may be prepared, copied, published and distributed, in whole or in part, without restriction of any kind, provided that the above copyright notice and this paragraph are included on all such copies and derivative works. However, this document itself may not be modified in any way, such as by removing the copyright notice or references to the Internet Society or other Internet organizations, except as needed for the purpose of developing Internet standards in which case the procedures for rights in submissions defined in the Internet Standards process must be followed, or as required to translate it into languages other than English.

The limited permissions granted above are perpetual and will not be revoked by the Internet Society or its successors or assigns.

THIS DOCUMENT AND THE INFORMATION CONTAINED HEREIN IS PROVIDED ON AN "AS IS" BASIS AND THE CONTRIBUTOR, THE ORGANIZATION HE/SHE REPRESENTS (IF ANY), THE INTERNET SOCIETY AND THE INTERNET ENGINEERING TASK FORCE DISCLAIM ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTY THAT THE USE OF THE INFORMATION HEREIN WILL NOT INFRINGE ANY RIGHTS OR ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

See (editor)

Expires - December 5, 2003

[Page 8]