## ISO

IEC

International Organization for Standardization

International Electrotechnical Commission





Patent Statement and Licensing Declaration

This declaration does not represent an implied license grant

Please return to each of the two organizations:

Secretary-General International Organization for Standardization 1, rue de Varembe CH-1211 Geneva 20 Switzerland Fax: +41 22 733 34 30 General Secretary International Electrotechnical Commission 3, rue de Varembe CH-1211 Geneva 20 Switzerland Fax: +41 22 919 03 01

Patent Holder/O	rganization:
Legal Name	IBM Corporation
Contact for licer	nse application:
Name &	Brian Hinman
Department	Vice President Licensing Intellectual Property Systems and
Address	North Castle Drive
	Armonk, NY, 10504
Tel.	1-914-765-4359
ax	1-914-765-4420
-mail	hinman@us.ibm.com
RL (optional)	WWW.IBM.COM
SO/IEC Internat	ional Standard:
lumber	ISO/IEC/JTC1 SC25 – FDIS-14165-251
Title	Information Technology – Fibre Channel - Framing and Signalling Interface (FC-FS)
Licensing declar	ration
The Patent Hold	er believes that it holds granted patents and/or pending applications

The Patent Holder believes that it holds granted patents and/or pending applications, the use of which would be required to implement the above ISO/IEC International Standard and hereby declares, in accordance with the ISO/IEC Patent Policy (ISO/IEC Directives), that (check <u>one</u> box only).

	applicants on a w	nt Holder is prepared to grant a <u>free</u> license to an unrestricted number of vorldwide, non-discriminatory basis and under other reasonable terms and ake, use, and sell implementations of the above ISO/IEC International		
	Negotiations are	left to the parties concerned and are performed outside ISO/IEC.		
		_ if the Patent Holder's willingness to license is conditioned on reciprocity //IEC International Standard.		
	and conditions (l claims, whose u	if the Patent Holder reserves the right to license on reasonable terms out not for free) to applicants who are only willing to license their patent use would be required to implement the above ISO/IEC International sonable terms and conditions (but not for free).		
X	applicants on a	ent Holder is prepared to grant a license to an unrestricted number of worldwide, non-discriminatory basis and on reasonable terms and ake, use and sell implementations of the above ISO/IEC International		
	Negotiations are	left to the parties concerned and are performed outside ISO/IEC.		
		$\underline{X}$ if the Patent Holder's willingness to license is conditioned on reciprocity /IEC International Standard.		
	3. The Patent Holder is unwilling to grant licenses in accordance with provisions of either 1 or 2 above. In this case, the following information must be provided as part of this declaration:			
	- patent registra	ation/application number;		
		of which portions of the ISO/IEC International Standard are affected; of the patent claims covering the ISO/IEC International Standard.		
<u>Free</u> : The word "free" does not mean that the Patent Holder is waiving all of its rights with respect to the essential patent. Rather, "free" refers to the issue of monetary compensation; <i>i.e.</i> , that the Patent Holder will not seek any monetary compensation as part of the licensing arrangement (whether such compensation is called a royalty, a one-time licensing fee, etc.). However, while the Patent Holder in this situation is committing to not charging any monetary amount, the Patent Holder is still entitled to require that the implementer of the ISO/IEC International Standard sign a license agreement that contains other reasonable terms and conditions such as those relating to governing law, field of use, reciprocity: As used herein, the word "reciprocity" means that the Patent Holder shall only be required to license any prospective licensee if such prospective licensee will commit to license its essential patent(s) or essential patent claim(s) for implementation of the same ISO/IEC International Standard for free or under reasonable terms and conditions.				
Signatu				
Organiza		IBM Corporation		
Name of person	fauthorized	Dr. W. Charlton Adams, Jr.		
•		<u>wcadams@us.ibm.com</u> / 914-765-4382		
	uthorized person	Program Director Standards & Open Source		
Signatur				
Place, D	ate	Armonk, NY		
FORM: 1	9 October 2005			

No.	Registration Number/ Country	Title/ Inventor	<b>Status</b> [granted/ pending]
1	4,486,739 / US	Byte oriented DC balanced (0,4) 8B/10B partitioned block transmission code Franaszek; Peter A. (Katonah, NY), Widmer; Albert X. (Katonah, NY)	December 4, 1984
2	4,995,056 / US	System and method for data communications Fogg, Jr.; Richard G. (Austin, TX), Mathis; Joseph R. (Georgetown, TX), Zeitler, Jr.; Carl (Austin, TX)	February 19, 1991
3	5,136,410 / US	Optical fiber link control safety system Heiling; Gerald M. (Pine Island, MN), Knodel; David A. (Rochester, MN), Peterson; Michael J. (Rochester, MN), Schuelke; Brian A. (Rochester, MN), Siljenberg; David W. (Byron, MN), Soderstrom; Ronald L. (Rochester, MN), Trnka; John T. (Rochester, MN)	August 4, 1992
4	5,151,977 / US	Managing a serial link in an input/output system which indicates link status by continuous sequences of characters between data frames Fredericks; Kenneth J. (Poughkeepsie, NY), Lynch; Kenneth R. (Rhinebeck, NY)	September 29, 1992
5	5,260,933 / US	Acknowledgement protocol for serial data network with out-of- order delivery Rouse; Gerald L	November 9, 1993
6	US2003/0103504A1	Method and Apparatus for obtaining multiple port addresses by a fiber channel from a network fabric Dugan, Robert J. (Hyde Park, NY); Frazier, Giles R. (Austin, Texas)	Pending Published December 3, 2001
7	US2003/0135620A1	Method and apparatus for a non-disruptive recovery of a single partition in a multipartitioned data processing system Dugan, Robert J. (Hyde Park, NY); Frazier, Giles R. (Austin, Texas)	Pending Published July 17,2003
8	Other Issued Patents &	IBM is currently reviewing other patents and patent applications in its	October 12,
	Published Applications	portfolio. Upon completion of this review IBM will promptly advise ISO/IEC/JTC1 of any additional claims that may be essential to the standard.	2006