

Intellectual Property Rights (IPRs); Essential, or potentially Essential, IPRs notified to ETSI in respect of ETSI standards



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Keywords

IPR

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Intellectual Property Rights

IPRs essential or potentially essential to the present document may have been declared to ETSI. The information pertaining to these essential IPRs, if any, is publicly available for **ETSI members and non-members**, and can be found in ETSI SR 000 314: *"Intellectual Property Rights (IPRs); Essential, or potentially Essential, IPRs notified to ETSI in respect of ETSI standards"*, which is available from the ETSI Secretariat. Latest updates are available on the ETSI Web server (<http://webapp.etsi.org/IPR/home.asp>).

Pursuant to the ETSI IPR Policy, no investigation, including IPR searches, has been carried out by ETSI. No guarantee can be given as to the existence of other IPRs not referenced in ETSI SR 000 314 (or the updates on the ETSI Web server) which are, or may be, or may become, essential to the present document.

Foreword

The present document identifies, patents and patent applications which have been notified to ETSI as being Essential, or Potentially Essential, to ETSI standards.

The present document has been prepared on the basis of information received. ETSI has not checked the validity of the information, nor the relevance of the identified patents/patent applications to the ETSI standards and cannot confirm, or deny, that the patents/patent applications are, in fact, essential, or potentially Essential. No investigation, or IPR searches, have been carried out by ETSI and therefore no guarantee can be given concerning the existence of other IPRs which are, or may become, essential.

It should also be noted that whilst ETSI members are not obliged to conduct IPR searches they are obliged to make reasonable efforts to inform ETSI of any Essential IPRs of which they become aware (see article 4 of the ETSI IPR Policy).

The present document will be maintained by the ETSI Secretariat and further editions will be issued as, and when, necessary. Any errors in the information contained in the present document, or any additional information concerning Essential IPRs, of which readers of the present document become aware, should be notified to the ETSI Secretariat (for the attention of the Legal Service).

NOTE: The present document is also available at <http://webapp.etsi.org/IPR>.

1 Scope

The present document identifies IPRs, particularly patents and patent applications, which have been notified to ETSI as being Essential, or potentially Essential, to ETSI standards.

Unless otherwise specified, all IPRs included into the present document have been notified to ETSI, with an undertaking from the owner to grant licences according to the terms and conditions of article 6.1 of the ETSI IPR Policy, Annex 6 of the ETSI Rules of Procedure.

2 References

The ETSI IPR Policy can be found at <http://portal.etsi.org/Directives/home.asp>.

The ETSI Guide on IPRs is to be found at <http://webapp.etsi.org/ipr/>.

Notification to ETSI of Essential or potentially Essential IPRs should be made using the combined [information statement and licensing declaration forms](http://webapp.etsi.org/ipr/) available at <http://webapp.etsi.org/ipr/>

A step by step explanation for filling out the above mentioned forms is to be found in the [guidelines on how to declare an essential IPR and how to make a licensing declaration to ETSI](http://webapp.etsi.org/ipr/) available at <http://webapp.etsi.org/ipr/>.

3 Definitions and abbreviations

3.1 Definitions

The terms "ESSENTIAL", "IPR" and "STANDARD" given below are defined in the "Definitions" annex of the ETSI IPR Policy.

ESSENTIAL: as applied to IPR means that it is not possible on technical (but not commercial) grounds, taking into account normal technical practice and the state of the art generally available at the time of standardization, to make, sell, lease, otherwise dispose of, repair, use or operate EQUIPMENT or METHODS which comply with a STANDARD without infringing that IPR

For the avoidance of doubt in exceptional cases where a STANDARD can only be implemented by technical solutions, all of which are infringements of IPRs, all such IPRs shall be considered ESSENTIAL.

NOTE: In practical terms, the existence of an Essential IPR makes it necessary to have a licence in order to exploit the standard concerned.

IPR: shall mean any intellectual property right conferred by statute law including applications therefore other than trademarks

For the avoidance of doubt rights relating to get-up, confidential information, trade secrets or the like are excluded from the definition of IPR.

STANDARD: shall mean any standard adopted by ETSI including options therein or amended versions and shall include European Standards (ENs) (telecommunications series), ETSI standards (ESs), Common Technical Regulations (CTRs) which are taken from ENs (telecommunications series) and including drafts of any of the foregoing, and documents made under the previous nomenclature, including ETSs, I-ETSs, parts of NETs and TBRs, the technical specifications of which are available to all MEMBERS, but not including any standards, or parts thereof, not made by ETSI

The date on which a STANDARD is considered to be adopted by ETSI for the purposes of this POLICY shall be the date on which the technical specification of that STANDARD was available to all MEMBERS.

The following definitions also apply:

notified: means any IPR information of which ETSI has been formally notified by the owner of the IPR or, any IPR information of which ETSI has become aware, pursuant to the IPR Policy

IPR licensing declaration: this is a declaration to the effect that the IPR owner declares that he is prepared to grant licences on fair, reasonable and non-discriminatory terms, in accordance with article 6.1 of the ETSI IPR Policy

3GPP standards: all standards issued by ETSI in relation to 3rd Generation Partnership Project (3GPP)

NOTE: From <http://portal.etsi.org/>, click on the "3GPP" tab.

BRAN standards: all standards issued by ETSI Project Broadband Radio Access Networks (BRAN)

NOTE: From <http://portal.etsi.org/>, click on the "BRAN" tab.

DAB standards: all standards issued by ETSI in relation to Digital Audio Broadcasting (DAB)

NOTE: See <http://portal.etsi.org/radio/DigitalAudioBroadcasting/DAB.asp>.

DCS 1800 standards: all standards issued by ETSI in relation to European Cellular Digital - Global System for Mobile Communication - DCS 1800 extensions

NOTE: From <http://portal.etsi.org/>, click on the "3GPP" tab.

DECT standards: all standards issued by ETSI in relation to Digital European Cordless Telephone (DECT), also known as Digital Enhanced Cordless Telephone (DECT)

NOTE: From <http://portal.etsi.org/>, click on the "DECT" tab.

DTM standards: all standards issued by ETSI in relation to Dynamic synchronous Transfer Mode (DTM)

NOTE: SPAN Technical Body has closed. See http://portal.etsi.org/tb/closed_tb/span.asp.
All SPAN standards can now be found under TISPAN.

DVB standards: all standards issued by ETSI in relation to Digital Video Broadcasting (DVB)

NOTE: See <http://portal.etsi.org/radio/DigitalAudioBroadcasting/DAB.asp>.

DECT/GSM interworking standards: all standards issued by ETSI in relation to interworking between DECT and GSM

ERMES standards: all standards issued by ETSI in relation to European Radio Messaging System (ERMES)

NOTE: From <http://portal.etsi.org/>, click on the "ERM" tab.

GPRS standards: all standards issued by ETSI in relation to General Packet Radio Service (GPRS)

NOTE: From <http://portal.etsi.org/>, click on the "3GPP" tab.

GSM standards: all standards issued by ETSI in relation to European Cellular Digital - Global System for Mobile Communication (GSM)

NOTE: From <http://portal.etsi.org/>, click on the "3GPP" tab.

HDSL standards: all standards issued by ETSI in relation to High bit rate Digital Subscriber Line (HDSL)

NOTE: From <http://portal.etsi.org/>, click on the "TM" then "TM 06" tab.

HIPERLAN standards: all standards issued by ETSI in relation to High Performance Radio Local Area Network (HIPERLAN)

NOTE: See <http://portal.etsi.org/radio/HiperLAN/HiperLAN.asp>.

ISDN standards: all standards issued by ETSI in relation to Integrated Services Digital Network (ISDN)

NOTE: From <http://portal.etsi.org/>, click on the "SPAN" tab.

Lawful Interception (LI) standards: all standards issued by ETSI in relation to Lawful Interception (LI)

NOTE: See <http://portal.etsi.org/li/Summary.asp>.

PSTN standards: all standards issued by ETSI in relation to Public Switched Telephone Network (PSTN)

NOTE: From <http://portal.etsi.org/>, click on the "AT" tab.

SDSL standards: all standards issued by ETSI in relation to Symmetrical Digital Subscriber Line (SDSL)

NOTE: From <http://portal.etsi.org/>, click on the "TM" then "TM 06" tab.

STAG standards: all standards issued by ETSI in relation to Security Techniques Advisory Group (STAG)

NOTE: From <http://portal.etsi.org/>, click on the "SEC" tab.

Television systems standards: all standards issued by ETSI in relation to TV broadcasting systems

NOTE: From <http://portal.etsi.org/>, click on the "BROADCAST" tab.

TETRA standards: all standards issued by ETSI in relation to Trans-European Trunked Radio (TETRA)

NOTE: From <http://portal.etsi.org/>, click on the "TETRA" tab.

TFTS standards: all standards issued by ETSI in relation to Terrestrial Flight Telecommunication System (TFTS)

NOTE: From <http://portal.etsi.org/>, click on the "ERM" tab.

TIPHON standards: all standards issued by ETSI in relation to Telecommunications And Internet Protocol Harmonization Over Networks (TIPHON)

NOTE: TIPHON Technical Body has closed. See http://portal.etsi.org/tb/closed_tb/tiphon.asp.
All TIPHON standards can now be found under TISPAN.

UMTS standards: all standards issued by ETSI in relation to Universal Mobile Telecommunications System (UMTS)

NOTE: From <http://portal.etsi.org/>, click on the "3GPP" tab.

VDSL standards: all standards issued by ETSI in relation to Very high speed Digital Subscriber Line (VDSL)

NOTE: From <http://portal.etsi.org/>, click on the "TM" then "TM 06" tab.

3.2 Abbreviations

For the purposes of the present document, the following abbreviations apply:

AD	Andorra
AE	United Arab Emirates
AF	Afghanistan
AG	Antigua and Barbuda
AI	Anguilla
AL	Albania
AM	Armenia
AN	Netherlands Antilles
AO	Angola
AQ	Antarctica
AR	Argentina
ARIPO	African Regional Intellectual Property Organization
AS	American Samoa
AT	Austria
AU	Australia
AW	Aruba
AZ	Azerbaijan
BA	Bosnia and Herzegovina
BB	Barbados

BD	Bangladesh
BE	Belgium
BF	Burkina Faso
BG	Bulgaria
BH	Bahrain
BI	Burundi
BJ	Benin
BM	Bermuda
BN	Brunei Darussalam
BO	Bolivia
BR	Brazil
BS	Bahamas
BT	Bhutan
BV	Bouvet Island
BW	Botswana
BY	Belarus
BZ	Belize
CA	Canada
CC	Cocos (Keeling) Islands
CF	Central African Republic
CG	Congo
CH	Switzerland
CI	Côte d'Ivoire
CK	Cook Islands
CL	Chile
CM	Cameroon
CN	China
CO	Colombia
CR	Costa Rica
CU	Cuba
CV	Cape Verde
CX	Christmas Island
CY	Cyprus
CZ	Czech Republic
DE	Germany
DJ	Djibouti
DK	Denmark
DM	Dominica
DO	Dominican Republic
DZ	Algeria
EAPO	Eurasian Patent Office
EC	Ecuador
EE	Estonia
EG	Egypt
EH	Western Sahara
EPC	European Patent Convention
EPO	European Patent Office
ER	Eritrea
ES	Spain
ET	Ethiopia
EU	European Union
FI	Finland
FJ	Fiji
FK	Falkland Islands (Malvinas)
FM	Micronesia (Feder. States Of)
FO	Faroe Islands
FR	France
FX	France, Metropolitan
GA	Gabon
GB	United Kingdom
GD	Grenada
GE	Georgia

GF	French Guiana
GH	Ghana
GI	Gibraltar
GL	Greenland
GM	Gambia
GN	Guinea
GP	Guadeloupe
GQ	Equatorial Guinea
GR	Greece
GS	So. Georgia And So. Sandwich
GT	Guatemala
GU	Guam
GW	Guinea-Bissau
GY	Guyana
HK	Hong Kong
HM	Heard And Mcdonald Islands
HN	Honduras
HR	Croatia
HT	Haiti
HU	Hungary
ID	Indonesia
IE	Ireland
IL	Israel
IN	India
IO	British Indian Ocean Territory
IPC	International Patent Convention
IQ	Iraq
IR	Iran (Islamic Republic Of)
IS	Iceland
IT	Italy
JM	Jamaica
JO	Jordan
JP	Japan
KE	Kenya
KG	Kyrgyzstan
KH	Cambodia
KI	Kiribati
KM	Comoros
KN	Saint Kitts And Nevis
KP	Korea, Dem. People's Rep. Of
KR	Korea, Republic Of
KW	Kuwait
KY	Cayman Islands
KZ	Kazakhstan
LA	Lao People's Dem. Rep.
LB	Lebanon
LC	Saint Lucia
LI	Liechtenstein
LK	Sri Lanka
LR	Liberia
LS	Lesotho
LT	Lithuania
LU	Luxembourg
LV	Latvia
LY	Libyan Arab Jamahiriya
MA	Morocco
MC	Monaco
MD	Moldova, Republic Of
MG	Madagascar
MH	Marshall Islands
MK	FYROM (The Former Yugoslav Republic of Macedonia)
ML	Mali

MM	Myanmar
MN	Mongolia
MO	Macau
MP	Northern Mariana Islands
MQ	Martinique
MR	Mauritania
MS	Montserrat
MT	Malta
MU	Mauritius
MV	Maldives
MW	Malawi
MX	Mexico
MY	Malaysia
MZ	Mozambique
NA	Namibia
NC	New Caledonia
NE	Niger
NF	Norfolk Island
NG	Nigeria
NI	Nicaragua
NL	Netherlands
NO	Norway
NP	Nepal
NR	Nauru
NU	Niue
NZ	New Zealand
OAPI	African Intellectual Property Organization
OM	Oman
PA	Panama
PCT	Patent Cooperation Treaty
PE	Peru
PF	French Polynesia
PG	Papua New Guinea
PH	Philippines
PK	Pakistan
PL	Poland
PM	Saint Pierre Et Miquelon
PN	Pitcairn
PR	Puerto Rico
PT	Portugal
PW	Palau
PY	Paraguay
QA	Qatar
RE	Réunion
RO	Romania
RU	Russian Federation
RW	Rwanda
SA	Saudi Arabia
SB	Solomon Islands
SC	Seychelles
SD	Sudan
SE	Sweden
SG	Singapore
SH	Saint Helena
SI	Slovenia
SJ	Svalbard And Jan Mayen
SK	Slovakia
SL	Sierra Leone
SM	San Marino
SN	Senegal
SO	Somalia
SR	Suriname

ST	Sao Tome And Principe
SV	El Salvador
SY	Syrian Arab Republic
SZ	Swaziland
TC	Turks And Caicos Islands
TD	Chad
TF	French Southern Territories
TG	Togo
TH	Thailand
TJ	Tajikistan
TK	Tokelau
TM	Turkmenistan
TN	Tunisia
TO	Tonga
TP	East Timor
TR	Turkey
TT	Trinidad And Tobago
TV	Tuvalu
TW	Taiwan, Province Of China
TZ	Tanzania, United Republic Of
UA	Ukraine
UG	Uganda
UM	U.S. Minor Outlying Islands
US	United States
UY	Uruguay
UZ	Uzbekistan
VA	Vatican City State
VC	Saint Vincent And Grenadines
VE	Venezuela
VG	Virgin Islands (British)
VI	Virgin Islands (U.S.)
VN	Viet Nam
VU	Vanuatu
WF	Wallis And Futuna Islands
WS	Samoa
YE	Yemen
YT	Mayotte
YU	Yugoslavia
ZA	South Africa
ZM	Zambia
ZR	Zaire
ZW	Zimbabwe

4 Notified IPRs

ETSI has not undertaken any patent family searches in respect of the identified patents/patent applications. It should be assumed that, if any other corresponding patents, or patent applications exist, which are not listed in the present document, then licences in respect of such rights will not be covered by the Licensing Declarations.

The Licensing Declarations given for the IPRs are contained in archive sr_000314v020201p0 which accompanies the present document, may be made subject to the condition that those who seek licences agree to reciprocate.

4.1 Notifications

Essential, or potentially essential, IPRs in respect of which a notification followed by a Licensing Declaration has been given by the IPR owner and for which licences are available on fair, reasonable and non-discriminatory terms, in accordance with article 6.1 of the ETSI IPR Policy, annex 6 of the ETSI Rules of Procedure. The ETSI IPR Policy can be found at <http://portal.etsi.org/directives/>.

NOTE: IPR Information statement and Licensing Declaration forms can be found at <http://webapp.etsi.org/IPR>.

4.1.1 List of Project Names used in the ETSI IPR Database

3GPP; 3GPP/AMR-WB; 3GPP/AMR-WB+; 3GPP/EMS; AMR; BRAN; Cable Modem; DAB; DCS 1800; DECT; DECT/GSM; DIIS; DMR; dPMR; DRM; DTM; DTS; DVB; DVB-H; DVB-S2; Electronic Signature; ERM; ERMES; GERAN; GMPRS; GMR; GPRS; GSM; GSM/AMR-NB; GSM/TDMA; HDSL; HIPERLAN; HIPERLAN 2; IPCablecom; ISDN; Lawful Interception; LCS; LCS-128 Pos; M-COMM; MHP-Broadcast; PLT; PSTN; RES; SDH; SDSL; SES; SES/SDR; Smart Card; Speech Recognition; STAG; Television systems; TETRA; TETRA DMO; TFTS; TIPHON; TISPAN_NGN; UICC; UMTS; UMTS/CDMA; V5 Interface; VDSL.

4.2 Withdrawals

France Telecom: has requested ETSI (letter of 16 September 2003), to withdraw from the ETSI IPR online database and the present document its IPR declared on 17 September 1998, related to GSM/AMR-NB and concerning the patent no. 2734389, on the basis that France Telecom had not been selected for the B-FRANC candidature for AMR selection.

InterDigital Technologies Corporation: has requested ETSI (on 30 October 2006) to remove the following IPRs of 10 April 2001 and 8 April 2004:

EP Serial No.	EP Patent No.
99122091.4	0984577
00111007.1	1037395
00114940.0	1041728
02005247.8	1213846
02005244.5	1213854
00930830.5	1179279 (European Patent (UK) only)
92903307.4	0514539

By letter of 21 March 2007, InterDigital Technologies Corporation has informed ETSI that upon further review:

- it was determined that the above EP Patent Nos.: 0984577, 1037395, 1041728, 1213846 and 1213854 are not essential;
- it was determined that EP Patent No.: 0514539 is no longer subsisting;
- with regards to EP Patent No. 1179279, only the European Patent (UK) has lapsed.

Motorola: has requested ETSI (on 11 March 2004) to remove the Patent number US 09/427497 from its Information Statement (6 September 2002) and Licensing Declaration (6 December 2002) of essential IPRs, referring to ES 202 050.

Nortel Networks Ltd: has requested ETSI (letter of 22 July 2005) and further specified by email of 14 October 2005, to withdraw from the ETSI IPR online database its IPRs declared in its Information Statement and Licensing Declaration (1 July, 2004) related to 3GPP Multiplexing and Channel Coding/FDD (TS25.212) and Physical Layer (TS25.201) concerning European patent no. 1117203 and its identified associated foreign counterparts, on the basis that relevant requirements have been removed from the 3GPP standards by corrigenda revisions:

- RP-050215, TS 25.133, change request n° 750, Feature Clean Up: Removal of Compressed mode by puncturing;
- RP-050249, TS 25.211, change request n° 218, Feature Clean Up: Removal of Compressed mode by puncturing;
- RP-050249, TS 25.212, change request n° 213 rev. 1, Feature Clean Up: Removal of Compressed mode by puncturing;
- RP-050249, TS 25.214, change request n° 388, Feature Clean Up: Removal of Compressed mode by puncturing;

- RP-050249, TS 25.215, change request n° 164, Feature Clean Up: Removal of Compressed mode by puncturing;
- RP-050249, TS 25.331, change request n° 2596, Feature Clean Up: Removal of Compressed mode by puncturing;
- RP-050224, TS 25.423, change request n° 1064 rev. 1, Feature Clean Up: Removal of Compressed mode by puncturing;
- RP-050224, TS 25.433, change request n° 1109 rev. 1, Feature Clean Up: Removal of Compressed mode by puncturing.

- Qualcomm Inc.: has requested ETSI to withdraw (On 29 November 2006) from the ETSI IPR Online Database the following Patent Nos:
- EP 0695482 (declared to ETSI on 14 October 2005 for GERAN and on 13 June 2006 for GPRS, 3GPP, UMTS)
 - DE 69520812.8 (declared to ETSI on 14 October 2005 for GERAN and on 13 June 2006 for 3GPP and UMTS)
 - US 5,452,473 (declared to ETSI on 19 October 2001 for GERAN and on 14 October 2005 for UMTS)
 - ZL95190118.4 (declared to ETSI on 19 October 2001 for GERAN and on 14 October 2005 for UMTS)
- Qualcomm Inc. has been caused to re-examine thoroughly the essentiality of these patents being part of the patent families US 5,590,408 and US 5,655,220 in the course of patent litigation and as a result does not consider that these patent are Essential IPRs.
- TruePosition Inc.: has requested ETSI (on 29 April 2003) to withdraw from the ETSI IPR online database and the present document the IPRs in relation to 3GPP TSG RAN Work Item 57: LCS-128 Pos, declared to ETSI on 9 August 2002, on the basis that "these are not required to practice the standard as currently written".

4.3 Other declarations

- Deutsche Telekom AG: has informed ETSI that it does not own, or control, any IPRs which are essential, or potentially essential to the ETSI GSM standards.
- InterDigital Technologies Corporation: On 25 January 2006, InterDigital Technologies Corporation informed ETSI that the initial reference to the Deliverable 3GPP TS 41 101 Release 5 - ETSI TS 141 101, of their IPR declaration of 8 April 2004, for UMTS, should be read as referring to 3GPP TS 21 101 Release 5 - ETSI TS 121 101.
- Siemens AG: has informed ETSI that it does not own any IPRs which are or are likely to become essential IPRs in the Adaptive Multi-Rate (AMR) speech codec (GSM standard).
- Vyyo Inc.: has informed ETSI that it does not have any essential IPRs in relation to ES 201 488 V1.1.1.

History

Document history		
Edition 1	July 1996	Publication as ETR 314 (Withdrawn)
Edition 2	July 1997	Publication as ETR 314 (Withdrawn)
V1.3.1	June 1998	Publication (Withdrawn)
V1.4.1	November 1999	Publication (Withdrawn)
V1.5.1	December 2000	Publication (Withdrawn)
V1.6.1	August 2001	Publication (Withdrawn)
V1.7.1	December 2001	Publication (Withdrawn)
V1.8.1	April 2002	Publication (Withdrawn)
V1.9.1	November 2002	Publication (Withdrawn)
V1.10.1	June 2003	Publication (Withdrawn)
V1.11.1	December 2003	Publication (Withdrawn)
V1.12.1	May 2004	Publication (Withdrawn)
V1.13.1	November 2004	Publication (Withdrawn)
V1.14.1	March 2005	Publication (Withdrawn)
V1.15.1	November 2005	Publication (Withdrawn)
V2.1.1	November 2006	Publication (Withdrawn)
V2.2.1	March 2007	Publication