

Agenda Item:

Source: Mitsubishi Electric Corporation

Title: License Policy

Document for: Information

In accordance with the request of 3GPP, ETSI SAGE is developing two cryptographic algorithms to be standard, i.e., “f8 Ciphering Algorithm” and “f9 Integrity Algorithm”, (“Cryptographic Standards”) that will be included in the 3G standard being developed by 3GPP (“3G Standard”). The Cryptographic Standards are being based on MISTY 1, Mitsubishi Electric Corporation (“Mitsubishi”)’s proprietary cryptographic algorithm, and covered by Mitsubishi’s patent application.

Mitsubishi hereby clarifies its patent licensing policy with respect to its patents that are based on PCT application No. PCT/JP96/02154, filed on July 31, 1996 and on its belief, to be essential to the Cryptographic Standards (“Patents”).

Provided that any non-Mitsubishi patents which are essential to implement any cryptographic algorithms of the 3G Standard are also offered by those owners under non-discriminatory, fair and commercially reasonable terms and conditions without any license fee/royalty, Mitsubishi is willing to offer licenses as follows:

1. When the Cryptographic Standards have been officially finalized and established, Mitsubishi will offer licenses under the Patents, on a non-discriminatory basis, to those intending to make, use or sell products that are compliant with the 3G Standard, to the extent that the Patents are essential to the officially established 3G Standard,
2. Mitsubishi will grant such licenses under written license agreements without any license fee/royalty and subject to other terms and conditions that it believes fair and commercially reasonable, provided that, Mitsubishi shall retain a right to enforce the Patents, including but not limited to seek license fee/royalty payment, against any party who asserts its patents essential to any cryptographic algorithms of the 3G Standard against Mitsubishi.