

VIDEO SERVICES FORUM, INC. ("VSF")

PATENT POLICY

1. General. The VSF has no objection in principle to drafting a technical specification, engineering guideline, or other similar requirement or recommended practice (a "Recommendation") in terms that include the use of a patent claim that would be necessarily infringed by implementing the normative portion that Recommendation (an "Essential Claim") if it is considered that technical reasons justify this approach.
2. Disclosure. Members shall disclose in writing to the VSF as soon as practically possible the existence of any Essential Claim of which any representative of the Membership who participates in a VSF Activity Group has actual personal knowledge, unless such disclosure would cause such Member to breach a contractual obligation of confidentiality. Members are not required to perform or conduct searches of intellectual property rights, and knowledge of an Essential Claim shall not be automatically imputed to any representative of such Member.
3. Licensing Statement. Upon receipt of a statement disclosing the existence of an Essential Claim, the VSF shall request from the holder of such Essential Claim, and the holder of such Essential Claim shall submit to the VSF, written confirmation that:
 - a. a license to the Essential Claim will be made available upon request without compensation and under reasonable terms and conditions that are demonstrably free of any unfair discrimination to applicants for the purpose of implementing the Recommendation, which conditions may include license reciprocity with respect to the same Recommendation; or
 - b. a license to the Essential Claim will be made available upon request under reasonable terms and conditions that are demonstrably free of any unfair discrimination to applicants for the purpose of implementing the Recommendation, which conditions may include license reciprocity with respect to the same Recommendation; or
 - c. a license to the Essential Claim will not be provided under reasonable terms and conditions that are demonstrably free of any unfair discrimination to applicants for the purpose of implementing the Recommendation.
4. Records. The VSF shall maintain in its files all disclosures of Essential Claims submitted pursuant to Section 2 above and all written confirmations submitted pursuant to Section 3 above.
5. Notice. When the VSF receives a written confirmation as set forth in Section 3 above with respect to a Recommendation, then such Recommendation shall include a note substantially as follows:

NOTE: The user's attention is called to the possibility that compliance with this Recommendation may require use of an invention covered by patent rights. By publication of this Recommendation, no position is taken with respect to the validity of this claim or of any patent rights in connection therewith. If a patent holder has filed a statement of willingness to grant a license under these rights on reasonable and nondiscriminatory terms and conditions to applicants desiring to obtain such a license, then details may be obtained from the VSF.
6. Responsibility for Identifying or Evaluating Essential Claims. The VSF is not responsible for identifying Essential Claims or for conducting inquiries into the legal validity or scope of Essential Claims that are brought to its attention.

January 10, 2011