

DATE

National Electrical Manufacturers Association
Attention: Megan Hayes, Vice President, Standards & Technical Affairs (megan.hayes@nema.org)
1812 N. Moore Street, Suite 2200
Arlington, VA 22209

In accordance with the *NEMA Procedures for the Development of American National Standards*, the undersigned notifies NEMA that the undersigned or an **Affiliate**

- ☐ does
☐ does not¹

own, control or have the ability to license one or more patents or published patent applications containing one or more **Essential Patent Claims** with respect to Title of (Proposed) Standard (including ANS Identification Number.

The undersigned identifies the following information regarding any patents or published patent applications that it or an **Affiliate** owns, controls, or has the ability to license and that contain one or more **Essential Patent Claims**:

Part or Section of this Standard that includes the use of an **Essential Patent Claim**:

Patent Reg'n. / Application Number(s) containing an **Essential Patent Claim**: _____

Licensing Assurance:

With respect to patent claims that are **Essential Patent Claims**, or which may become **Essential Patent Claims**, our licensing position is as follows (check the appropriate boxes below):

- ☐ 1. A license to such **Essential Patent Claims** will be granted without compensation to all applicants with reasonable terms and conditions that are demonstrably free of unfair discrimination.
- ☐ (Optional) A sample of such a license or material licensing terms similar to what would be offered is attached to this letter.
- ☐ (Optional) That such license is offered under a **condition of reciprocity**.
- ☐ 2. A license to such **Essential Patent Claims** will be granted to all applicants under reasonable terms and conditions that are demonstrably free of unfair discrimination.
- ☐ (Optional) These reasonable rates will not exceed _____
_____ (e.g. a percent of product price or sales, a flat fee, per unit, other).

¹ If disclosing that you do not own, control, or have the ability to license **Essential Patent Claims**, no Licensing Assurance is required; however, the Title and Designation of the American National Standard in question, Contact and Signature provisions of this letter apply.

- ☐ (Optional) A sample of such a license or material licensing terms similar to what would be offered is attached to this letter.
- ☐ (Optional) That such license is offered under a **condition of reciprocity**.
- ☐ 3. We will not enforce any present or future **Essential Patent Claims** against any person or entity making, using, selling, offering to sell, importing, distributing, or implementing a compliant implementation of the ANS.
- ☐ 4. We are unwilling or unable to grant licenses according to the provisions of either 1. or 2. above or to agree that we will not enforce our **Essential Patent Claims** as described in 3. above. [Note: this option may only be selected if this Disclosure is received by NEMA prior to the distribution of a letter ballot for approval of an ANS proposed for adoption, revision or reaffirmation].

We further assure and commit to NEMA that any documents transferring ownership of the patents or published patent applications subject to this assurance will include provisions sufficient to ensure that the commitments set forth herein are binding on any future assignees or transferees. Each such assignee or transferee shall further be obligated to include appropriate provisions in the event of any subsequent transfers, with the goal of ensuring that these commitments remain binding upon each successor-in-interest without interruption.

This assurance is expressly intended to be binding upon all successors-in-interest, irrespective of whether the relevant transfer documents include such provisions.

Our licensing assurance is (check one box):

- ☐ irrevocable;
- ☐ subject to a reservation that it may be withdrawn when it is established that there are commercially and technically feasible non-infringing alternatives to creating a compliant implementation of the ANS.

Contact Information for entity that owns, controls, or has the ability to license **Essential Patent Claims**:

Contact Name and Title: _____

Company Name: _____

Address: _____

Telephone: _____

Email: _____

SIGNATURE:

By signing this letter, I represent that I have the authority to bind the undersigned to the representations and commitments provided in this letter and acknowledge that the users and implementers of the

[proposed] ANS identified above are relying upon or will rely upon those representations and commitments.

If it is later discovered that the undersigned (including any Affiliate) does own, control, or have the ability to license patents containing **Essential Patent Claims**, a license will be made available as prescribed in Section 1.2 of the *NEMA Procedures for the Development of American National Standards*.

_____	_____
Date	Signature
_____	_____
	Print Name and Title
_____	_____
	Company (if applicable)