IEEE P802.11
Wireless LANs

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| Response to IEEE 802.11-15/1076r0 |
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Abstract

This submission responds to, and rebuts the conlusion of, document IEEE 802.11-15/1076r0, “Excerpt from IEEE Patent Policy”, S. Coffey, September 2015.

## Discussion:

* The author of Document 1076r0 assumes that Qualcomm is contending that, upon Qualcomm’s acquisition of CSR, all of Qualcomm’s 802.11 Essential Patent Claims automatically became subject to the March 6, 2009 Accepted Letter of Assurance by CSR (the “CSR LoA”). Document 1076r0 relies on a selective quotation from the IEEE-SA Operations Manual to conclude that “IEEE Patent Policy appears to state that CSR, plc’s March 6, 2009 letter does not apply to any of Qualcomm’s Essential Patent Claims, for any IEEE 802.11 amendment”. Both the assumptions and conclusion of Document 1076r0 are incorrect.
* Qualcomm does not contend that all of Qualcomm’s 802.11 Essential Patent Claims automatically became subject to the CSR LoA simply because Qualcomm acquired CSR. Qualcomm and CSR have entered into an agreement whereby CSR has the right to grant licenses for certain Qualcomm patent claims, including Qualcomm’s Essential Patent Claims for 802.11ah. Upon the execution of that agreement, those patent claims became subject to the CSR LoA.
* This result is confirmed by the text of the CSR LoA itself, which provides, in Section E.2, that “When checked, this letter of assurance is a Blanket Letter of Assurance. As such, all Essential Patent Claims that the Submitter may currently ***or in the future*** have ***the ability to license*** shall be available on the terms as indicated above in part D.1….”
* This result is also confirmed by the text of Section 6.4 of the Operations Manual (the Section selectively quoted by the Coffey Submission). Per Section 6.4, a Blanket Letter of Assurance “covers all Essential Patent Claims the Submitter may currently ***or in the future*** have ***the ability to license***”.
* The conclusion of Document 1076r0, therefore, is incorrect: The CSR LoA applies to the Qualcomm Essential Patent Claims for 802.11ah.
* Lastly, just to be clear, a purpose of a Blanket Letter of Assurance is to eliminate the need to submit LoA’s for specific Amendments. The CSR LoA applies to all of 802.11, including amendments.  Hence no LoA from Qualcomm referencing 802.11ah is required