

The custom LOA form dated 13 June 2019 - Limited shall be made available to patent holders as an opportunity to provide licensing assurance in accordance with the IEEE patent policy that was in effect on 14 March 2015 for any standards project that was initiated, based on PAR approval date, prior to 15 March 2015.

Since the implementation of the updated patent policy on 15 March 2015, various patent holders have approached the IEEE-SA Standards Board Patent Committee Administrator with statements along the lines of '*We will not provide an LOA with licensing assurance under the terms of the 2015 patent policy. We would, however, ask that you inform standards development participants and other interested parties that we are willing to provide an LOA with licensing assurance under the terms of the 2007 patent policy.*'

It is likely that some of the patent holders that stated willingness to provide an LOA with licensing assurance under the terms of the 2007 patent policy did not fully understand that when the 2015 patent policy became effective that it would immediately apply to all IEEE standards development projects/standards regardless of whether or not the project/standard had been initiated prior to the 15 March 2015 implementation date of the updates to the patent policy.

As patent holders may discover potential Essential Patent Claims throughout the lifecycle of standardization, the custom LOA form permits patent holders that have discovered potentially Essential Patent Claims on a standards project that was initiated prior to 15 March 2015 to provide licensing assurance under the terms of the *IEEE-SA Standards Board Bylaws* that were in effect immediately prior to 15 March 2015.

It is beneficial to the IEEE standards development ecosystem for statements of licensing assurance to be provided in a permanent and approved recordable manner. The provision of the option for patent holders to submit licensing assurance on the custom LOA form is expected to increase the number of statements of licensing assurance that are provided to IEEE in an acceptable format.