

Implementation Guidelines for Treatment of Industrial Property Rights for Japan Cable Laboratories

The Technical Committee decided as follows for the practical use of “Guidelines for Treatment of Industrial Property Rights for Japan Cable Laboratories.” (herein after “Guidelines”)

1. Essential Industrial Property Right (hereinafter “Essential IPR”) relating to any or all parts of the contents of the Japan Cable Laboratories (hereinafter referred to as the “JLabs”) Standard shall be treated only as provided in the Guidelines without any other additional terms and conditions.
2. The Guidelines do not address any treatment of Non-Essential IPR (hereinafter “Non-Essential IPR” means Industrial Property Right relating to any or all parts of the contents of such JLabs Standard besides Essential IPR) for the systems in compliance with such JLabs Standard. However, if the holder of Essential IPR (this relates only to those holders of Essential IPR who selected Section 1.1(1) of the Guidelines) requests a license from the holder of Non-Essential IPR to use such Non-Essential IPR in the system in Japan in compliance with such JLabs Standard, such a holder of the Non-Essential IPR shall pay due consideration to the fact that such a holder of Non-Essential IPR received a royalty-free license under the Essential IPR from such a holder of Essential IPR. Such a holder of non-Essential IPR shall therefore negotiate in good faith with such a holder of Essential IPR for such licenses on reasonable terms and conditions (including royalty-free) so that a mutually acceptable agreement can be reached.
3. In the case that a potential holder of Essential IPR is not able to submit a confirmation form per Section 2.1 of the Guidelines by the submission date specified in Section 2.2 of the Guidelines (hereinafter “the submission date”), the potential holder can submit either of the attached comprehensive confirmation forms, No.1 and No.2, that do not specify Industrial Property Right (hereinafter “comprehensive confirmation forms”) by the submission date. The submitter of one of these comprehensive confirmation forms may postpone the submission of the confirmation form provided in the Guidelines until the date up to six months from

the date of the establishment or revision of the relevant JLABs Standard. In the case that comprehensive confirmation form No.1 is submitted and if the submitter is later ascertain to be an Essential IPR holder, it should submit the confirmation form No.1 provided in the Guidelines. In the case that the comprehensive confirmation form No.2 is submitted and if the submitter is later ascertain to be an Essential IPR holder, it should submit either one of the confirmation forms No.1 and No.2 provided in the Guidelines.

4. If the submitter learns of the existence of its Essential IPR after the submission date (six months from the date of the establishment or revision of the relevant JLABs Standard in the case that a comprehensive confirmation form described in Paragraph 3 is submitted), the holder of such Essential IPR should submit the confirmation form No.1 or No.2 provided in the Guidelines without delay. In the case that the holder of such Essential IPR submitted the comprehensive confirmation form described in Paragraph 3, the contents mentioned in the comprehensive confirmation form are also valid for the Essential IPR that is not specified in the confirmation form No.1 or No.2 provided in the Guidelines.

Attached Form No.1

**Comprehensive confirmation form relating to a license
for the use of Essential IPR**

To the Chairman of the Technical Committee

Date of submission:

Submitter

Name of company:

Name of representative:

(seal or signature)

Address of company:

In accordance with Paragraph 3 of the “Implementation Guidelines for Treatment of Industrial Property Rights for Japan Cable Laboratories”, in the case that we have any Essential IPR relevant to the JLabs Standard stated below, we hereby comprehensively confirm that the company selects case (1) in Section 1.1 provided in “Guidelines for the Treatment of Industrial Property Rights for Japan Cable Laboratories”.

1 Title of JLabs Standard:

Attached Form No.2

**Comprehensive confirmation form relating to a license
for the use of Essential IPR**

To the Chairman of the Technical Committee

Date of submission:

Submitter

Name of company:

Name of representative:

(seal or signature)

Address of company:

In accordance with Paragraph 3 of the “Implementation Guidelines for Treatment of Industrial Property Rights for Japan Cable Laboratories”, in the case that we have any Essential IPR relevant to the JLabs Standard stated below, we hereby comprehensively confirm that the company selects case (2) in Section 1.1 provided in “Guidelines for the Treatment of Industrial Property Rights for Japan Cable Laboratories”.

1 Title of JLabs Standard:
