

IEEE P802.3cs Ad Hoc Call

August 27, 2020

- Please send email with name and affiliation to the P802.3cs chair
 - This information is being collected for record of teleconference attendance
 - Please send ASAP
- IEEE Patent Policy
 - <https://development.standards.ieee.org/myproject/Public/mytools/mob/slideset.pdf>
- IEEE 802 Participation Policy
 - <https://mentor.ieee.org/802-ec/dcn/16/ec-16-0180-05-00EC-ieee-802-participation-slide.pdf>

Participants have a duty to inform the IEEE

- Participants shall inform the IEEE (or cause the IEEE to be informed) of the identity of each holder of any potential Essential Patent Claims of which they are personally aware if the claims are owned or controlled by the participant or the entity the participant is from, employed by, or otherwise represents
- Participants should inform the IEEE (or cause the IEEE to be informed) of the identity of any other holders of potential Essential Patent Claims

Early identification of holders of potential Essential Patent Claims is encouraged

Ways to inform IEEE

- Cause an LOA to be submitted to the IEEE-SA (patcom@ieee.org); or
- Provide the chair of this group with the identity of the holder(s) of any and all such claims as soon as possible; or
- **Speak up now and respond to this Call for Potentially Essential Patents**
If anyone in this meeting is personally aware of the holder of any patent claims that are potentially essential to implementation of the proposed standard(s) under consideration by this group and that are not already the subject of an Accepted Letter of Assurance, please respond at this time by providing relevant information to the WG Chair

Other guidelines for IEEE WG meetings

- All IEEE-SA standards meetings shall be conducted in compliance with all applicable laws, including antitrust and competition laws.
 - Don't discuss the interpretation, validity, or essentiality of patents/patent claims.
 - Don't discuss specific license rates, terms, or conditions.
 - Relative costs of different technical approaches that include relative costs of patent licensing terms may be discussed in standards development meetings.
 - Technical considerations remain the primary focus
 - Don't discuss or engage in the fixing of product prices, allocation of customers, or division of sales markets.
 - Don't discuss the status or substance of ongoing or threatened litigation.
 - Don't be silent if inappropriate topics are discussed ... do formally object.

For more details, see *IEEE-SA Standards Board Operations Manual*, clause 5.3.10 and *Antitrust and Competition Policy: What You Need to Know* at <http://standards.ieee.org/develop/policies/antitrust.pdf>



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Patent-related information

The patent policy and the procedures used to execute that policy are documented in the:

- *IEEE-SA Standards Board Bylaws*
(<http://standards.ieee.org/develop/policies/bylaws/sect6-7.html#6>)
- *IEEE-SA Standards Board Operations Manual*
(<http://standards.ieee.org/develop/policies/opman/sect6.html#6.3>)

Material about the patent policy is available at
<http://standards.ieee.org/about/sasb/patcom/materials.html>

**If you have questions, contact the IEEE-SA
Standards Board Patent Committee
Administrator at patcom@ieee.org**



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Participation in IEEE 802 Meetings

- **Participation in any IEEE 802 meeting (Sponsor, Sponsor subgroup, Working Group, Working Group subgroup, etc.) is on an individual basis**
- **Participants in the IEEE standards development individual process shall act based on their qualifications and experience. (https://standards.ieee.org/develop/policies/bylaws/sb_bylaws.pdf section 5.2.1)**
- **IEEE 802 Working Group membership is by individual; “Working Group members shall participate in the consensus process in a manner consistent with their professional expert opinion as individuals, and not as organizational representatives”. (subclause 4.2.1 “Establishment”, of the IEEE 802 LMSC Working Group Policies and Procedures)**
- **Participants have an obligation to act and vote as an individual and not under the direction of any other individual or group. A Participant’s obligation to act and vote as an individual applies in all cases, regardless of any external commitments, agreements, contracts, or orders.**
- **Participants shall not direct the actions or votes of any other member of an IEEE 802 Working Group or retaliate against any other member for their actions or votes within IEEE 802 Working Group meetings, see https://standards.ieee.org/develop/policies/bylaws/sb_bylaws.pdf section 5.2.1.3 and the IEEE 802 LMSC Working Group Policies and Procedures, subclause 3.4.1 “Chair”, list item x.**
- **By participating in IEEE 802 meetings, you accept these requirements. If you do not agree to these policies then you shall not participate.**
 - (Latest revision of IEEE 802 LMSC Working Group Policies and Procedures:
<http://www.ieee802.org/devdocs.shtml>)

Agenda

- Proposed Annex 200B
 - Liang Du (Amazon), Claudio DeSanti (Dell Technologies)