



August 14, 2014

*Via email:* d.ringle@ieee.org

Institute of Electrical and Electronics Engineers  
Standards Association  
445 Hoes Lane  
Piscataway, NJ 08854-4141  
Attention: David Ringle, Director, IEEE-SA Governance

Subject: Proposed Clarifications to IEEE By-Laws

Dear Mr. Ringle,

Ruckus Wireless, Inc. ("Ruckus") writes in support of the updates to the text of Section 6 of the IEEE-SA Standard Board Bylaws, which are currently under submission from the IEEE Patent Committee (PatCom) for approval by the IEEE-SA Standards Board (SASB).

Ruckus is a global supplier of advanced wireless systems for mobile Internet infrastructure. In addition to participating in the development of IEEE standards, Ruckus markets and sells products that implement such IEEE standards as IEEE 802.11 and IEEE 802.3 to provide interconnectivity and interoperability to other, standards-compliant devices. Ruckus has a strong interest in both the continued development of leading edge standards and in avoiding disruptive, time-consuming, and expensive patent litigation.

Ruckus views the proposed updates to Section 6 of the By-laws as a set of common-sense proposals that will both reward innovators that contribute innovations for use in IEEE standards and prevent implementers of those standards from being exploited. Ruckus is and has been involved in standards-related patent litigation, so Ruckus is acutely aware that some patent owners try to take advantage of the investments Ruckus has made in the implementation of WiFi and the deployment of wireless data networks to extract unreasonable licensing terms, or attempt to seek enforcement outcomes that disproportionately reflect the value of the allegedly relevant claims or that might seriously impact certain businesses.

Ruckus believes that it should be clear in the IEEE patent policy, as it is in recent appellate patent damages decisions such as *Laserdynamics*, that the royalty base against which patent damages are assessed is the smallest salable unit that implements the patented invention.

Ruckus supports the proposed changes, which will limit the circumstances when injunctions and other exclusion orders would be available against entities that manufacture, sell or distribute compliant networking products. Ruckus also welcomes the effort to further define what

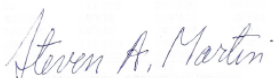
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licensing terms are consistent with the requirement that owners of patents required to implement IEEE standards grant licenses on reasonable and non-discriminatory terms.

We believe the proposed updates strike the right balance between the interests of contributors of technology to IEEE standards in obtaining a fair return and the interests of implementers of those standards in avoiding disruption to our businesses. We urge the SASB to support and adopt PatCom's updates at the SASB's upcoming August 2014 meeting.

We thank you for your time and consideration of this important issue.

Sincerely,



Steve Martin

Senior Vice President of Engineering