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To: Karen Bartleson, President
IEEE Standards Association Bd. of Governors
445 Hoes Lane
Piscataway, NJ 08854-4141
Karen.Bartleson@synopsys.com

Re: Proposed Clarifications to IEEE By-Laws

Dear Ms. Bartleson,

Samsung Electronics Co. Ltd. ("Samsung") requests expedited consideration of the proposed revisions to Section 6 of the IEEE SA By-Laws, which would provide needed clarification of the obligation to license contributed technology on fair, reasonable, and non-discriminatory ("FRAND" or "RAND") terms. Samsung hopes that the December 2014 vote occurs as scheduled with no further delays in the process.

Specifically, we share the view expressed by many of our peers that IEEE standards provide interconnectivity and interoperability enhancements for standards-compliant devices to the betterment of consumers, contributors, and implementers alike. We thus support IEEE's longstanding commitment to FRAND / RAND obligations intended to promote widespread standards adoption on cutting edge technology while simultaneously providing adequate protections for all parties involved. However, recent disputes between contributors and implementers has made clear that certain aspects of the existing IEEE bylaws are subject to differing interpretations that can lead to disruptive, wasteful, and expensive litigation. Samsung thus applauds IEEE for recognizing this problem and attempting to clarify its by-laws accordingly.

Significant areas targeted for reform in the proposed revisions include: (1) the extent to which all implementers can seek a FRAND / RAND license regardless of their status as a consumer, operator, retailer, or maker of a component, sub-assembly, or end-product and the means by which a corresponding FRAND / RAND rate is calculated; (2) the extent to which

injunctive or exclusionary relief is available for infringement of a standards essential patent; (3) the attachment of FRAND / RAND obligations to future assignees and transferees of a standards essential patent; and (4) the appropriateness of conditioning a license to a standards essential patent on reciprocity and/or inclusion of other, non-standards essential patents. From Samsung's perspective as both a contributor to and implementer of IEEE standards, the proposed revisions reflect a balanced approach that addresses many of the ambiguities highlighted by recent litigations. They should therefore be adopted without further delay.

Your prompt and careful consideration of this matter is appreciated.

Sincerely,



VP Hojin Chang

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David Ringle (d.ringle@ieee.org)