

PlatformWCDMA Announces Plan for Launch of the W-CDMA Patent Licensing Programme for 3G systems based on the W-CDMA technology

London, 24 March 2004. - PlatformWCDMA today announced that a group of W-CDMA essential patent holders have reached agreement on the initial licensing terms for a comprehensive **W-CDMA Patent Licensing Programme** for implementation and use of the 3GPP-defined standards based on the W-CDMA technology for 3G mobile communication systems.

The initial companies associated this initiative are ETRI (Electronics and Telecommunications Research Institute), Fujitsu, KPN, NEC, NTT DoCoMo, Mitsubishi Electric and Siemens. PlatformWCDMA invites other self-claimed essential patent holders to submit patents for an evaluation of their essentiality to the 3GPP-defined standards in order to include as much intellectual property as possible within the **W-CDMA Patent Licensing Programme**.

Each patent in the **W-CDMA Patent Licensing Programme** is certified as essential by an independent neutral third party body, the International Patent Evaluation Consortium (IPEC), currently grouping together fourteen patent law firms in Asia (China, Japan and Korea), Australia, Europe (France, Germany, Italy, and the United Kingdom) and the United States.

Under the **W-CDMA Patent Licensing Programme** the party that manufactures 3G products for sale to the end-user is responsible for royalties on the various product categories currently defined below :

1. Terminals (including PDAs and modules)
2. Base Stations (Node Bs)
3. Radio Network Controllers (RNCs)
4. Core Network (3G elements thereof)
5. Test equipment

Within PlatformWCDMA the following activities are currently underway :

- the patent holders are submitting their patents in order to obtain certificates of essentiality to create a worthwhile W-CDMA certified essential patent portfolio (this process will continue throughout the lifetime of the W-CDMA technology and thus, the number of W-CDMA certified essential patents will increase significantly with time) and;

- other claimed W-CDMA essential patent holders are being invited to join the **W-CDMA Patent Licensing Programme** in order to broaden the availability of the certified essential patent portfolio to prospective licensees;

The **W-CDMA Patent Licensing Programme** offers, for 3G terminal products, a Joint License Agreement (JLA) grouping together all relevant W-CDMA certified essential patents for those licensors joining this part of the programme. The JLA is being introduced following an identified marketplace demand. Additional W-CDMA certified essential patents will be added to the JLA as new patent owners join and as more patents are certified as essential. The licensing terms are defined in terms of a fixed royalty for each manufactured terminal which are guaranteed to remain the same throughout the term of the JLA. It is anticipated that there will be a significant market demand for the JLA and, thus PlatformWCDMA will focus on seeking licensees for terminal products in order to bring about affordable terminals for stimulating 3G service offerings for operators. To assist in the enforcement of the JLA a reserve fund is being created in the anticipation of enforcement actions.

The **W-CDMA Patent Licensing Programme** is effective from 1 January 2004. Licensees taking a JLA on 3G terminal products prior to the 30 June 2004 will receive a waiver on royalty payments for products sold up to the 30 June 2004 and, moreover, a discount on the royalties payable during the initial three year term.

“Based on recent public announcements by major mobile operators, the commercialisation of 3G systems based on the W-CDMA technology will become increasingly a reality in 2004 and beyond and, the **W-CDMA Patent Licensing Programme** should assist in making the W-CDMA technology an attractive competitive option in the marketplace” according to Brian Kearsey, Director General of the 3G Patent Platform Partnership (3G3P).

PlatformWCDMA offers the **W-CDMA Patent Licensing Programme** as a convenience to the marketplace in providing fair, reasonable and non-discriminatory (FRAND) access to essential patents owned by many patent holders. Companies that use the W-CDMA 3GPP-defined standards based on the W-CDMA technology need the essential patent rights the licenses provide; it is the easiest, most cost-effective way to obtain them.

The **W-CDMA Patent Licensing Programme** is based on the 3G Patent Platform which received antitrust approval from the Japanese Fair Trade Commission, the European Commission and the U.S. Department of Justice, Antitrust Division during 2002.

How to contact us :

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About PlatformWCDMA

PlatformWCDMA Limited is a new company registered and incorporated in England established specifically to govern the **W-CDMA Patent Licensing Programme**. Membership of PlatformWCDMA is open to all W-CDMA certified essential patent holders.

PlatformWCDMA was established arising from the work of the UMTS Intellectual Property Rights Working Group, the UMTS IPR Association and the 3G Patent Platform Partnership (3G3P) involving numerous major telecommunication operators and manufacturers.

Other available documents

1. The Frequently Asked Questions (FAQs)
2. An open letter to those parties claiming ownership of W-CDMA essential patents for the W-CDMA system.