

PlatformWCDMA Announces the Publication of a Joint License Agreement for Certified Essential Patents for W-CDMA FDD Terminals

London, 21 October 2004. - PlatformWCDMA today announced the publication of a Joint License for W-CDMA Essential Patent Rights for Terminals (Joint License Agreement or "JLA"). The JLA is being offered following a market demand for a license grouping together all relevant W-CDMA FDD certified essential patents from several patent holders. The JLA is being offered under the **W-CDMA Patent Licensing Programme**.

The JLA is effective from 1 January 2004 until 31 December 2006; beyond that date the JLA is renewed automatically for periods of two-years without limit. For each renewal the royalty rates are strictly controlled within defined limits thus ensuring total certainty from a business case perspective. The JLA applies to complete terminal devices including modules containing W-CDMA functionality able to communicate with a base station (Node B).

A key feature of the JLA is that licensees do not pay royalties on certified essential patents covered by an existing bilateral agreement between any of the patent holders. Effectively, the applicable per terminal royalty is discounted to reflect pre-existing bi-lateral agreements, that is, royalty exemption applies to avoid double payments by the licensee. The royalty exemption feature of the JLA makes the offer more attractive to many licensees with existing agreements in place.

The licensing terms offered are considered to be fair, reasonable and non-discriminatory. In particular, the royalty rates are considered concessionary and it is considered unlikely that a licensee would negotiate independently a better cumulative deal with all the patent holders.

Licensees taking a JLA by 31 December 2004 will not be expected to pay royalties on licensed terminal products sold prior to 30 June 2004 and, in addition, for the first term of the license the licensee will be entitled to a 20% discount on the royalty rate payable (that is, during the period 1 July 2004 to 31 December 2006).

It is anticipated that by end-2004 there should be almost fifty (50) patent families available for licensing based on the existing membership of patent holders; the objective is to achieve more than 100 patent families by 2006. The attainment of 50 patent families represents potentially in excess of 300 individual certified essential patents available for licensing (these will be certified in time by an independent evaluator as they are granted within their respective countries). As more patent holders join, which is anticipated during 2005, these numbers will increase significantly. The JLA is making available a worthwhile certified essential patent portfolio which should increase in size substantially with time.

All parties that make, use, sell or import terminals that are covered by the licensed product, including all products that claim to conform to the W-CDMA FDD standards including ODM,

OEM and EMS manufacturers (that is, the actual manufacture of the terminal) must take either a JLA or an individual license from each patent holder.

The nominated Licensing Administrator (LA) will be contacting, henceforce, potential licensees inviting them to take the JLA or to start independent negotiations with each patent holder. The LA has been given some discretionary powers to offer more favourable terms for those licensees taking a JLA in the short term.

How to contact us:

All enquiries should be made via the Licensing Administrator:

E-mail : enquiries@3glicensing.com

About PlatformWCDMA

PlatformWCDMA Limited is a 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) [Access from www.3glicensing.com]
2. An open letter to those parties claiming ownership of W-CDMA essential patents for the W-CDMA system [Request directly from: enquiries@3glicensing.com]
3. Joint License Agreement [Request directly from: enquiries@3glicensing.com]