

IPR update

- Contributors with disclosed patent rights
 - Xiph.org (4 US provisional applications)
 - Broadcom (1 patent, 2 US provisional applications)
 - Skype (1 US utility application w/ international counterparts)
 - all in compliance w/ my interpretation of RFC 3979
- Non-contributors w/ disclosed patent rights
 - Voluntary disclosure(!)
 - Qualcomm (6 granted patents, RAND terms)
 - In compliance with RFC 3979

IPR policy reminder

- IETF (and its working groups) takes no position on validity, utility, or applicability of patent claims
- IETF (and its working groups, including Codec) have no mandatory licensing requirements.
- Disclosures are made against snapshots of drafts and against RFCs, and (in most cases) stay on record.

Way forward (1)

- Unwise to discuss patent rights in public
 - Willful infringement (less an issue since 2008, but many conservative legal groups are still cautious)
 - Forcing the hand of rightholders (before equitable theories such as laches/estoppel render rights unenforceable)
- Strong preference of many participants not to discuss claim language on the IETF list.
- Those who want to discuss, create your own non-IETF list.

Way forward (2)

- Depending on language of disclosure, disclosure can relate to optional parts, examples, etc. etc. of a specification—anything that's in a draft
- Due to nature of spec development, conceivably, Opus v5 may draw in a particularly high number of patent claims
- Perhaps reconsider mode of development
- Perhaps remove all mechanisms related to automated mode changes
- Perhaps split doc and code into normative (very concise) bitstream syntax and decoder operation, plus informative “test model” covering everything else