



GS1 US WORKING GROUP NOTICE OF EXCLUSION FOR ESSENTIAL CLAIMS

This GS1 US Working Group Notice of Exclusion for Essential Claims (“Notice of Exclusion”) shall use the same definitions as set forth in the GS1 US IP Policy.

Please return via mail and e-mail a copy to workgroup facilitator (as a PDF) to:

A. PARTICIPANT:

Legal Name: _____ (“Participant”)

B. PARTICIPANT’S CONTACT INFORMATION:

Contact Name/Title:

Department:

Address:

Telephone:

Fax:

E-mail:

URL:

C. WORKING GROUP INFORMATION:

Working Group:

Description:

D. PARTICIPANT’S POSITION REGARDING LICENSING OF ESSENTIAL CLAIMS:

The Participant hereby declares the following (**Check box 1 or 2 below**):

1. The Participant agrees to grant and hereby grants to all Implementers of any guideline and/or standard approved by the Working Group listed in Section C, a RAND license to the Essential Claims listed in Section E. Such RAND license must include reasonable terms and conditions that are demonstrably free of unfair discrimination and may be conditioned on payment of reasonable, non-discriminatory royalties or fees.
- (Optional) These reasonable, non-discriminatory royalties or fees will not exceed _____ (e.g., percent of product price, flat fee, per unit).
- (Optional) A sample of such a license (or material licensing terms) that is substantially similar to what the Participant would offer is attached.
2. The Participant is unwilling or unable to grant, to all Implementers of any guideline and/or standard approved by the Working Group listed in Section C, licenses to the Essential Claims listed in Section E.



E. ESSENTIAL CLAIMS COVERED BY THIS NOTICE OF EXCLUSION:

1) Patent/Patent Application Number:

Title:

Claims Considered Essential:

Specific Portion of Draft and/or Approved Guideline Covered by Essential Claims:

Date of Initial Disclosure to GS1 US:

Additional Information:

2) Patent/Patent Application Number:

Title:

Claims Considered Essential:

Specific Portion of Draft and/or Approved Guideline Covered by Essential Claims:

Date of Initial Disclosure to GS1 US:

Additional Information:

3) Copyright/Copyright Registration Number:

Title:

Claims Considered Essential:

Specific Portion of Draft and/or Approved Guideline Covered by Essential Claims:

Date of Initial Disclosure to GS1 US:

Additional Information:



F. SIGNATURE:

By signing this Notice of Exclusion, you represent that you have the authority to bind the Participant and all Affiliates to the representations and commitments provided in this Notice of Exclusion and acknowledge all Implementers of any guideline and/or standard approved by the Working Group listed in Section C above are relying or will rely upon and may seek enforcement of the terms of this Notice of Exclusion.

The Participant and all Affiliates agree not to sell or otherwise transfer any rights in any Essential Claims listed in Section E that they hold, control, or have the ability to license with the intent of circumventing or negating any of the representations and commitments made in the GS1 US IP Policy or this Notice of Exclusion. The Participant agrees to bind any subsequent assignee or transferee of the Essential Claims listed in Section E to the terms of the GS1 US IP Policy and this Notice of Exclusion.

* SIGNATURE PAGE FOLLOWS *



Print name of authorized person: _____

Title of authorized person: _____

Signature of authorized person: _____

Date: _____

Address: _____

Phone: _____

E-mail: _____