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3GPP RAN
Mr. Francois Courau
Chairman

28.11.2005

Dear Industry Colleague,

Thanks to an industry-wide effort in recent months the standardization process for the Long Term Evolution (LTE) of the 3rd Generation Mobile Networks has made tremendous progress. Several decisions on radio access method of LTE downlink and uplink scenarios are expected in due course.

While we are very pleased with the technical and functional progress in this important area, we are not convinced that the potential implications of Intellectual Property Rights (IPR) on this work are adequately addressed, and notably the lack of certainty associated with licensing terms for subsequent commercial exploitation of these efforts. In our view, it is critical to focus on this matter urgently and progress the standardization process towards an appropriate IPR regime which addresses many of the current concerns.

We acknowledge and applaud ETSI's recent decision to install an IPR committee with a clear mandate to propose a solution to the IPR issue as outlined before. Furthermore we encourage all interested parties to actively engage in this important industry initiative by submitting proposals for a revised IPR system to relevant standards bodies as soon as possible. In addition, and in recognition of the relevance of LTE to the next generation of mobile networks, it would seem appropriate to choose 3GPP's LTE work stream as a pilot for any new IPR regime proposed through the ETSI IPR committee.

Our specific proposal is to use the upcoming months primarily to allow completion of the necessary IPR work items and leaving 3GPP to continue evaluating the current radio access proposals, while the final decision in favour or against technologies proposed can be postponed until a decision is taken as to whether an IPR pilot is practical. Provided timely progress in the work on the new IPR regime, the PCG meeting in April 2006 would be the earliest possible date for the new IPR regime to be effectively adopted for LTE. We intend to solicit support from all Organisational Partners of 3GPP to ensure timely achievement of this important milestone.

We believe that addressing the IPR regime upfront will ultimately speed up the overall industry process and commercial adoption of LTE. Over and above this will permit sufficient analysis to ensure that LTE reaches its top-end performance requirements and as a consequence enables a significant step forward for our industry.

We thank you for your attention and support.

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