

# Annex J Patent Declaration Form

Zhaga Member [**enter company name** \_\_\_\_\_] (“Patent Holder”) believes that the following section(s) of Zhaga Specification [**enter name of specification and section number(s)**] \_\_\_\_\_ fall outside the Old Zhaga Scope (“Out-of-Original-Scope Sections”)

Patent Holder further believes that it and/or its Affiliated Companies and/or sub-contractors hold granted and/or pending applications for Essential IPR with claims the use of which is prescribed by such Out-of-Original-Scope Section (“Out-of-Original-Scope IPR”). The implicated Patent Families (“Implicated Patent Families”) are:

**Provide list of Implicated Patent Families: (a) the patent number for granted patents and published patent applications,**

---

---

---

**and (b) the filing number for patent applications that are not yet published.**

---

---

---

In relation to unpublished patent applications in the Out-of-Original-Scope IPR, Patent Holder undertakes to disclose the description of such unpublished patent applications to a committee of experts appointed by the Steering Committee, and bound by an NDA between the Patent Holder and the experts that will prevent the disclosure of such description to any person other than the experts appointed by the Steering Committee.

In relation to such Out-of-Original-Scope IPR, (check one box only):

Patent Holder does not promise to grant licenses for the Implicated Patent Families:

Patent Holder undertakes to grant licenses and undertakes to cause its Affiliated Companies and its respective sub-contractors (as provided for in **Clause 5 of the New Zhaga Consortium Agreement**) to grant licenses, for the Implicated Patent Families under the following terms and conditions  
**[specify terms and conditions]**

Patent Holder shall grant and shall cause its Affiliated Companies and its respective sub-contractors (as provided for in **Clause 5 of the New Zhaga Consortium Agreement.**) to grant, on written request, a non-exclusive, non-transferable, irrevocable, world-wide license on RAND terms under the Implicated Patent Families for commercially exploiting luminaires and components for luminaires fully complying with the Zhaga Specification referenced in this Patent Declaration, to the other Members and their Affiliated Companies and to third parties, subject to the following conditions and limitations:

- (a) The party enjoying such license shall in turn grant and cause their Affiliated Companies and their respective sub-contractors (as provided for in **Clause 5 of the New Zhaga Consortium Agreement**) to grant a non-exclusive, worldwide, non-transferable, irrevocable license of equivalent scope and to equivalent conditions under their Essential IPR to Patent Holder and its Affiliated Companies as well as to all other Members and their Affiliated Companies and any third party.
- (b) Such license does not cover the use of Essential IPR in functionality of a luminaire and/or components of a luminaire, which does not implement the Zhaga Specification referenced in this Patent Declaration.
- (c) For the avoidance of doubt: (i) only Essential Claims fall within the scope of this undertaking, and (ii) commercial exploitation shall include, but is not limited to, make, sell, offer for sale, import otherwise dispose of, and have made luminaires and components for luminaires.

This Patent Declaration shall also apply to future revisions of the Zhaga Specification referenced herein.

SIGNED FOR AND ON BEHALF OF PATENT HOLDER

SIGNATURE:

NAME:

POSITION:

Date: