

**Minutes of 802.3an Task Force Meeting
San Jose, CA - April 12, 2006**

Wednesday, April 12, 2006

The Chair, Brad Booth, opened the meeting at 10:15AM. George Eisler was appointed recording secretary.

The Chair next presented the proposed Agenda for the meeting.

Motion to approve the Agenda:

M: M McConnell

S: H Koeman

Approved unanimously by voice

After a round of introductions, the Chair presented the plan of work for the meeting.

Motion to approve minutes of the March 2006 plenary meeting in Denver CO.

M: H Barrass

S: G Zimmerman

Approved by voice.

The Chair reviewed the Task Force ground rules. At 10:32AM the Chair read the IEEE-SA Bylaws on Patents in Standards as follows:

6. Patents

IEEE standards may include the known use of essential patents and patent applications provided the IEEE receives assurance from the patent holder or applicant with respect to patents whose infringement is, or in the case of patent applications, potential future infringement the applicant asserts will be, unavoidable in a compliant implementation of either mandatory or optional portions of the standard [essential patents]. This assurance shall be provided without coercion. The patent holder or applicant should provide this assurance as soon as reasonably feasible in the standards development process. This assurance shall be provided no later than the approval of the standard (or reaffirmation when a patent or patent application becomes known after initial approval of the standard). This assurance shall be either:

a) A general disclaimer to the effect that the patentee will not enforce any of its present or future patent(s) whose use would be required to implement either mandatory or optional portions of the proposed IEEE standard against any person or entity complying with the standard; or

b) A statement that a license for such implementation will be made available without compensation or under reasonable rates, with reasonable terms and conditions that are demonstrably free of any unfair discrimination.

This assurance is irrevocable once submitted and accepted and shall apply, at a minimum, from the date of the standard's approval to the date of the standard's withdrawal.

The Chair next reviewed topics inappropriate for discussion during IEEE meetings, as follows:

- Don't discuss the validity/essentiality of patents/patent claims
- Don't discuss the cost of specific patent use
- Don't discuss licensing terms or conditions
- Don't discuss product pricing, territorial restrictions or market share
- Don't discuss ongoing litigation or threatened litigation
- Don't be silent if inappropriate topics are discussed Do formally object

S. Vaden presented a Liaison from TIA TR42.7 (April 2006 TIA Liaison Presentation.pdf)

Comment resolution commenced led by Sanjay Kasturia, Chief Editor, and continued after a lunch break.

After comment resolution was completed, H Koeman led the consideration of a draft reply to a request by ISO/JTC JTC 1/SC 25/WG 3.

Motions:

Move that TF approve the ISO informal communication, with appropriate edits by the Chair (or his appointed agent), to ISO/IEC 11801 JTC 1/SC 25/WG 3 and approve submission to 802.3 as a formal communication (as informal communication to preface that).

M: H. Koeman

S: G. Zimmerman

Technical ($\geq 75\%$)

TF: Y: by voice N: A:

PASS

Move that Draft 3.2 plus the resolution of comments and motions on Draft 3.2 be used as the basis for the generation of Draft 4.0 for recirculation and submission to RevCom.

M: H. Barrass

S: M. McConnell

Technical ($\geq 75\%$)

TF: Y: 37 N: 0 A: 0

PASS

Move to adjourn.

M: B. McClellan

S: J. Babanezhad

Procedural (>50%)

TF: Y: by voice N: A:

PASS

Attendees:

Last name	First Name
Babanezhad	Joseph N.
Barrass	Hugh
Booth	Brad
Bridgecenter	Wally
Brown	Kevin
Chadha	Mandeep
Chalupsky	David
Choi	Michael
Chopra	Rahul
Cobb	Terry
Dalmia	Kamal
DeSanti	Claudio
DiMinico	Chris
Dinh	Thuyen
Eisler	George
Grow	Bob
Hagh-Panah	Morteza
Hassoun	Marwan
Hatab	Ziad
Hojabri	Pirooz
Kamgar	Hassan
Kasturia	Sanjay
Koeman	Henriecus
Lynskey	Eric
Malhotra	Gaurav
Malkin	Moshe
Maltbie	Dan
Mathey	Tom
McCarthy	Frank

Last name	First Name
McClellan	Brett
McConnell	Mike
Mick	Colin
Muth	Jim
Narasimha	MJ
Powell	Scott
Savi	Olindo
Taich	Dimitry
Tellado	Jose
Thompson	Geoff
Twu	Bor-long
Vaden	Sterling
Vareljian	Albert
Woodruff	Bill
Wu	Jennifer
Zimmerman	George