

**Sun Microsystems, Inc.**  
Legal Department  
901 San Antonio Road, MS UPAL1-521  
Palo Alto, CA 94303  
650 960-1300  
650 336-0530 fax



October 28, 1999

Mr. Geoffrey O. Thompson  
Chair IEEE 802.3  
Nortel Networks  
4401 Great America Parkway  
P.O. Box 58185  
Santa Clara, CA 95052-8185

Re: Patent Response Letter for 802.3ad Standard

Dear Mr. Thompson:

I have been informed by Shimon Muller that you do not have our Patent Response Letter on file with respect to the 802.3ad Standard. In the event the proposed 802.3ad Standard is adopted, Sun Microsystems, Inc. agrees that it will license those claims of any patents owned by Sun as necessary for adopters of the Standard to implement and comply with the 802.3ad Standard on a non-discriminatory basis and on reasonable terms and conditions.

This letter does not grant any rights to the IEEE or any third parties with respect to Sun Microsystems, Inc.'s patents, copyrights or other intellectual property rights that relate to the proposed standard.

If there are any questions or concerns regarding the above, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Joseph T. FitzGerald".

Joseph T. FitzGerald, Esq.  
Assistant General Counsel  
Sun Microsystems, Inc.

cc:  
Ken Olsen, Esq.  
Shimon Muller