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Jonathan Thatcher  
Chair, IEEE 802.3 High Speed Study Group  
World Wide Packets  
PO BOX 141719, Suite B  
12720 E. Nora  
Spokane, WA 99214Attn: IEEE Standards Department  
Administrator, Intellectual Property

Re: Letter of Assurance for proposed IEEE Standard 802.3ae

Sir:

In the event proposed IEEE standard 802.3ae is adopted and the standard cannot be practiced without the use of patents assigned to Agilent Technologies, Inc. (Agilent), Agilent agrees upon written request to grant a nonexclusive license under such patent on a nondiscriminatory basis and on reasonable terms and conditions. This letter does not grant any right to the IEEE with respect to Agilent copyrights or other intellectual property rights that relate to the proposed standard. Any party interested in the license described above may write to:

Agilent Technologies, Inc.  
Legal Department, Patent Out-Licensing Section  
3000 Hanover Street  
Palo Alto, CA 94304

Sincerely,

Paul Engle  
General Manager,  
Fiber Optic Communications Division