

Sun Microsystems, Inc.
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June 19, 2001

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 IEEE 802.3ae 10-Gigabit Ethernet Standard

Dear Mr. Thompson:

I have been informed by Mr. Shimon Muller that you do not have our Patent Response Letter on file with respect to the 802.3ae Standard. In the event the proposed 802.3ae 10-Gigabit Ethernet Standard is adopted, Sun Microsystems, Inc. agrees that it will license those claims of any patents owned by Sun Microsystems as necessary for adopters of the Standard to implement and comply with the 802.3ae 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 "Kenneth Olsen", written over a large, stylized circular flourish.

Kenneth Olsen
Vice President
Intellectual Property Law Dept