

## LETTER OF ASSURANCE FOR ESSENTIAL PATENTS

Please return or FAX to: Secretary, IEEE-SA Standards Board Patent Committee  
 Institute of Electrical and Electronics Engineers, Inc.  
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### A. PATENT HOLDER/ORGANIZATION:

Legal Name of Organization: MERLOT COMMUNICATIONS, INC.

### B. PATENT HOLDER'S CONTACT FOR LICENSE APPLICATION:

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### C. IEEE STANDARD or PROPOSED IEEE STANDARD:

Number: P802.3af  
 Title: AMENDMENT: DATA TERMINAL EQUIPMENT (DTE) POWER via MEDIA DEPENDENT INTERFACE (MDI).

### D. PATENT HOLDER'S POSITION REGARDING LICENSING ESSENTIAL PATENT RIGHTS:

If the Patent Holder owns or controls granted patent(s) and/or pending applications that it believes may be infringed by compliance with the Proposed IEEE Standard, please specify the patent number, published application, and/or relevant claims. (A patent search is not required.)

Patent Number(s) (if known): US 6,218,930

Relevant Claims (optional): \_\_\_\_\_

The Patent Holder states that its position with respect to licensing such patent(s) is as follows (*check one box only*):

1. The Patent Holder is prepared to grant a free license to an unrestricted number of applicants on a worldwide, non-discriminatory basis to comply with the [Proposed] IEEE Standard.
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4. I am not aware of any patent(s) and/or patent claim(s) that my company may hold that would be relevant to the subject matter of the [Proposed] Standard.

### E. SIGNATURE:

Print name of authorized person: RONALD M. KEENAN

Title of authorized person: CHIEF TECHNOLOGY OFFICER

Signature of authorized person: Ronald M. Keenan Date: 7/2/2003

*Note: This assurance applies from the date of the standard's approval to the date of the standard's withdrawal and is irrevocable during that period.*

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Approved by IEEE-SA Standards Board Patent Committee - 11 June 2002