Ex Ante Disclosure and/or Negotiation of Licensing Terms

- What has been the experience of those SSOs that require or allow ex ante disclosure of licensing terms? How frequently do ex ante disclosures of licensing terms occur? Why are ex ante disclosures of licensing terms not required or made?
- How frequently do ex ante bilateral negotiations of licensing terms occur?
- How does a patent owner’s ex ante disclosure of licensing terms affect the process of choosing technologies for incorporation into the standard?
- Has experience shown a difference between terms negotiated ex ante and terms negotiated ex post?
- To what extent do concerns about antitrust liability deter ex ante disclosure or negotiation of licensing terms?
- What considerations should shape a rule of reason analysis of joint ex ante license discussions or negotiations?

Instructions for Filing Public Comments

Interested parties are invited to submit written comments electronically or in paper form. We must receive your comment by July 8, 2011. Because paper mail addressed to the FTC is subject to delay due to heightened security screening, please consider submitting your comments in electronic form. Comments filed in electronic form should be submitted using the following Web link: https://ftcpublic.commentworks.com/ftc/standardsproject and following the instructions on the Web-based form. To ensure that the Commission considers an electronic comment, you must file it on the Web-based form at the Web link: https://ftcpublic.commentworks.com/ftc/standardsproject. If this notice appears at http://www.regulations.gov/#!home, you may also file an electronic comment through that Web site. The Commission will consider all comments that regulations.gov forwards to it. You may also visit the FTC Web site at http://www.ftc.gov to read the notice and the news release describing it. Comments should refer to “Patent Standards Workshop, Project No. P11–1204” to facilitate the organization of comments. Please note that your comment—including your name and your State—will be placed on the public record of this proceeding, including on the publicly accessible FTC Web site, at http://www.ftc.gov/os/publiccomments.shtm. Because comments will be made public, they should not include any sensitive personal information, such as any individual’s Social Security Number; date of birth; driver’s license number or other State identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. Comments also should not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, comments should not include “trade secret or any commercial or financial information which is obtained from any person and which is privileged or confidential” as provided in Section 6(f) of the Federal Trade Commission Act (FTC Act), 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled “Confidential,” and must comply with FTC Rule 4.9(c).

A comment filed in paper form should include the “Patent Standards Workshop, Project No. P11 1204” reference both in the text and on the envelope, and should be mailed or delivered to the following address: Federal Trade Commission, Office of the Secretary, Room HB113 (Annex X), 600 Pennsylvania Avenue, NW., Washington, DC 20580. The FTC is requesting that any comment filed in paper form be sent by courier or overnight service, if possible, because U.S. postal mail in the Washington area and at the Commission is subject to delay due to heightened security precautions. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives, whether filed in paper or electronic form. Comments received will be available to the public on the FTC Web site, to the extent practicable, at http://www.ftc.gov/os/publiccomments.shtm. As a matter of discretion, the FTC makes every effort to remove home contact information for individuals from the public comments it receives before placing those comments on the FTC Web site. More information, including routine uses permitted by the Privacy Act, may be found in the FTC’s privacy policy, at http://www.ftc.gov/ftc/privacy.htm.

By direction of the Commission.

Donald S. Clark,
Secretary.

[FR Doc. 2011–11704 Filed 5–12–11; 8:45 am]

GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090–00xx; Docket No. 2011–0001; Sequence 2]

Agency Information Collection Activities: Proposed Collection; Comment Request; General Services Administration Acquisition Regulation; Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery (GSA)

AGENCY: General Services Administration. (GSA)

ACTION: Notice of a request for comments regarding a new information collection.

SUMMARY: As part of a Federal Governmentwide effort to streamline the process to seek feedback from the public on service delivery, the General Services Administration (GSA) will be submitting a Generic Information Collection Request (Generic ICR) “Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery” to OMB for approval under the Paperwork Reduction Act (PRA).

DATES: Submit comments on or before June 13, 2011.
Agency Service Delivery.

Collection of Qualitative Feedback on...