

INTELLECTUAL PROPERTY RIGHTS POLICY POLICY, V. 1.4

and Associated Documentation





Why Ballot FORUM-037 Exists

Strengthening the Forum's IPR Framework

- Adoption of IPR Policy v1.4
- Updated IPR Policy Agreement
- Revised Patent Exclusion Notice template
- Clear transition and enforcement mechanics



What Triggered these Revisions

Practical Issues Identified in 2024–2025

- March 22, 2024 – SC-70 Essential Claims reassertion
- Uncertainty about timing and scope of Essential Claims
- Formation of the Patent Advisory Group (PAG), followed by the rechartering of the IPR Subcommittee
- Operational inefficiencies in evaluating exclusion notices



Key Clarifications in v1.4

Clarifying Review Scope and Finality - IPR § 4.2

- Redline requirements aligned with §2.4 of Bylaws
- Incremental redlines for overlapping review periods
- Exclusion Notices limited to redlined changes
- Reinforces Review Period finality



Improving the Exclusion Process

Better Information, Better Decisions

- Revised Patent Exclusion Notice template
- Greater specificity regarding asserted claims
- Enables efficient evaluation by PAG
- Reduces risk of adopting non-RF requirements



Transition, Enforcement, and Stability

Ballot Text Provides Clear Effective Dates and Non-Retroactivity

- Effective Date: June 1, 2026
- No retroactive reopening
- Suspension-based compliance model
- Automatic termination on September 1, 2026, if unresolved



What This Preserves

Continuity of the IPR Framework

- RF licensing structure unchanged
- Essential Claim definition unchanged
- Working Group–level scoping preserved
- No reopening of prior Guidelines

The new agreement:

- Adds structured sections
(1–6) 
- Clarifies Working Group-level scope
- Adds express third-party beneficiary language
- Reworks Affiliate mechanics
- Distinguishes individuals vs. entities
- Adds condition-of-participation language
- Adds interpretation hierarchy