



June 20, 2011

Federal Trade Commission  
Office of the Secretary  
600 Pennsylvania Avenue, N.W.  
Room H-135 (Annex X)  
Washington, DC 20580

Re: *Federal Trade Commission Request for Comments and Announcement of Workshop on Standards-Setting Issues (Patent Standards Workshop, Project No. P11-1204)*

To the Federal Trade Commission:

The InterNational Committee for Information Technology Standards, INCITS, appreciates the opportunity to respond to your Request for Comments regarding the treatment of patented technology included in standards and the different ways that standards-setting organizations (SSOs) seek to minimize the risk of patent "hold-up".

The patent disclosure rules used at INCITS are found in the Intellectual Property Rights section of the INCITS RD-1 "Policies and Guidelines", located at [http://www.incits.org/rd1/INCITS\\_RD1.pdf](http://www.incits.org/rd1/INCITS_RD1.pdf). In particular, INCITS adheres to the ANSI Patent Policy (see the ANSI Essential Requirements found at <http://www.ansi.org/>). The "Guidelines for Implementation of the ANSI Patent Policy", also found at the ANSI web site, may be referenced for additional information.

Over its lifetime, INCITS has developed well over 2,000 American National Standards in the ICT sector. The current officers and staff have not been notified of any active patent "hold-up" problems with regards to INCITS standards. This does not imply that there are no patent "hold-up" issues or that there are not concerns surrounding patent "hold-up".

Sincerely,

Jennifer Garner  
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