To: Phillip Mills, Secretary, SNIA Board of Directors

From: Sun Microsystems, Inc.

Re: IP Disclosure Representation under the 2003 SNIA IP Policy
        "Storage Management Initiative (SMI) Specification"

Date: 12 November 2003

Dear SNIA Secretary:

        In response to the Notice of Intent to Designate SNIA Architecture for the "Storage Management Initiative (SMI) Specification" dated 17 September 2003, and in compliance with one or more of §§ 3.3.2, 3.4 and 3.5 of the 2003 SNIA IP Policy, Sun Microsystems, Inc. of Santa Clara, CA (SUN) submits the following.

        If SUN or any of its affiliates owns or controls, either directly or indirectly, a patent including Essential Claims that are necessarily infringed in the implementation of the SMI Specification, then SUN agrees to grant a non-exclusive and worldwide license to its Essential Claims to any Adopting Party that requests a license. The license will allow the requesting Adopting Party and its affiliates to make, have made, use, import, sell, offer for sale and otherwise distribute products using the SMI Specification. The license will be on reasonable and non-discriminatory terms, may be for or without compensation, may be limited to Compliant Portions and will be conditioned on a reciprocal license of comparable scope from the licensee to SUN for any Essential Claims owned or controlled by the licensee or its affiliates.

        In addition, SUN will grant to the SNIA a royalty-free license under its Essential Claims for the purposes of reproducing and distributing the SMI Specification and to develop and distribute SNIA approved interoperability and conformance tests for the SMI Specification.

For more information, please contact:

Peter Young
Sun Microsystems, Inc.
1 Network Drive, ms ubur01-103
Burlington, MA 01803

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