



October 17, 2012

Rigo Wenning, Legal Counsel
W3C

Thomas Roessler
W3C

W3C Community
W3C/MIT
32 Vassar Street
Room 32-G515
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Re: Patent Action Group (PAG) Report regarding U.S. Patent Nos. 6,704,870 and 7,215,773 relative to IETF Draft RFC 6090 Referenced by Specifications *XML Signature Syntax and Processing Version 1.1, W3C Candidate Recommendation 03 March 2011*, and *XML Encryption Syntax and Processing Version 1.1, W3C Candidate Recommendation 03 March 2011*

Dear W3C Community:

This communication responds to the Patent Action Group (PAG) Report issued October 15, 2012 by W3C in relation to U.S. Patent Nos. 6,704,870 (“the ‘870 patent”) and 7,215,773 (“the ‘773 patent”). These patents pertain to IETF draft RFC 6090 which is referenced by specifications *XML Signature Syntax and Processing Version 1.1, W3C Candidate Recommendation 03 March 2011*, and *XML Encryption Syntax and Processing Version 1.1, W3C Candidate Recommendation 03 March 2011*. Research In Motion, Limited (“RIM”) acquired Certicom Corporation (“Certicom”), the owner of these patents, in 2009. RIM and Certicom hereby jointly respond to the PAG Report.

RIM disagrees with the conclusion of the PAG report, as well as the rationale used by the PAG members in arriving at their conclusion. It contains several misunderstandings regarding the ‘870 and ‘773 patents, the Elliptical Curve Digital Signature Algorithm (“ECDSA”), and IETF RFC 6090’s derivation of the so-called KT-I algorithm. The issues mentioned in the PAG report have been examined over many years and the ‘870 and ‘773 patents remain valid and enforceable.

RIM attempted in good faith to reach an accommodation with W3C in this matter, but this proved impossible. Despite the outcome of these negotiations, RIM is still willing to license the ‘870 patent and ‘773 patent on fair, reasonable and non-discriminatory (“FRAND”) terms for use and implementation of the specifications *XML Signature Syntax and Processing Version 1.1*,



W3C Candidate Recommendation 03 March 2011, and XML Encryption Syntax and Processing Version 1.1, W3C Candidate Recommendation 03 March 2011. Such license may be subject to payment of compensation, as well as reciprocity and other terms and conditions.

Nothing stated herein should be regarded as or construed as a license to the '870 and '773 patents, or any other RIM or Certicom patent.

We trust this statement will conclude the matter insofar as the PAG is concerned.

Best Regards,

RESEARCH IN MOTION LIMITED

A handwritten signature in blue ink, which appears to read 'Jon M. Jurgovan', is positioned above the printed name and title.

Jon M. Jurgovan
Director, Patent Strategy