

Direct dial: (646) 878-0808
Direct email: GuyY@pczlaw.com

March 8, 2012

via email to: tgoode@atis.org

Thomas Goode
General Counsel
ATIS
1200 G Street, NW, Suite 500
Washington, DC 20005

Re: Magnolia Broadband, Inc. Substitute Patent Declaration

Dear Tom,

As we discussed earlier this week, enclosed herewith is a substitute patent declaration submitted on behalf of Magnolia Broadband, Inc. ("Magnolia").

In the originally filed declaration, the company inadvertently failed to check the box indicating the reciprocity condition; however, there was no intention to waive this condition. No licenses to any of the listed patents or patent applications have been granted. Accordingly, Magnolia appreciates your agreement to replace the original declaration with the attached substitute declaration, in which the sole difference is the now-checked reciprocity box. This submission therefore supersedes the submission of July 6, 2011, which the company wishes to withdraw.

The company and I appreciate your assistance in this matter. Please confirm by return email that the substitution has been made.

Sincerely,


Guy Yonay

ALLIANCE FOR TELECOMMUNICATIONS INDUSTRY SOLUTIONS

PATENT HOLDER STATEMENT

Please return via mail, email (scanned with signature), or fax to:

General Counsel

ATIS

1200 G Street, N.W., Suite 500

Washington, D.C. 20005 USA

Fax: +1 (888) 874-0973

Email: patents@atis.org

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No discussion or negotiation of license terms is permitted in any Forum or Committee. For further information regarding the licensing of any patented inventions identified in this Statement, please contact the person identified in Section B.

A. PARTY SUBMITTING THE STATEMENT

Legal Name (e.g. XYZ Corp.):
Magnolia Broadband Inc.

B. CONTACT FOR LICENSING INFORMATION

Contact Name:	Haim Harel	Title:	President
Department:			
Telephone:	1-908-350-2100 Ext 201	Fax:	1-908-350-2010
Email:	haim.harel@gmail.com		

C. ATIS-DEVELOPED AMERICAN NATIONAL STANDARD OR OTHER ATIS DELIVERABLE

Please complete a separate Patent Holder Statement for each standard/deliverable.

ATIS Forum/Committee:	
ATIS Document Number:	
Title:	
Other tracking identifiers*, if appropriate:	

*Note: If the standard/deliverable information is not available, please provide available tracking identifiers (e.g., Committee and Issue number, working text number, contribution number).

D. LICENSING ASSURANCE

In accordance with Section 10.4 of the ATIS Operating Procedures, the Party submitting this Statement hereby declares the following (**check box 1, 2a, 2b or 2c and either box 3a or 3b**):

1. The Party submitting this Statement does not hold or does not currently intend holding any invention the use of which would be required for compliance with the ATIS-developed American National Standard or other ATIS deliverable identified in Section C.
2. The Party submitting this Statement may hold a patent covering an invention the use of which may be required for compliance with the ATIS-developed American National Standard or other ATIS deliverable identified in Section C, and with respect to claim(s) of such patent(s), as may be specified more particularly in Section E, that are required for compliance with that ATIS-developed American National Standard or other ATIS deliverable (**check only one box**):
- a. An irrevocable license will be made available under reasonable terms and conditions that are demonstrably free of any unfair discrimination, without compensation, to applicants desiring to utilize the license for the purpose of implementing the American National Standard or other ATIS deliverable;
- Mark here if the Party submitting this Statement reserves the right to obtain compensation from applicants who are only willing to license, for compensation, their claim(s) of patents covering an invention, the use of which is required for compliance with the ATIS-developed American National Standard or other ATIS deliverable identified in Section C, on reasonable terms and conditions that are demonstrably free of any unfair discrimination.
- or
- b. An irrevocable license will be made available under reasonable terms and conditions that are demonstrably free of any unfair discrimination, with compensation, to applicants desiring to utilize the license for the purpose of implementing the American National Standard or other ATIS deliverable;
- Mark here if such licensing assurance is subject to applicant reciprocity.
- or
- c. Is unwilling or unable to grant licenses according to the provisions of either 2a or 2b.

E. IDENTIFICATION OF PATENTS - Extension

(Completion of the following information is optional if D3a is selected. If D3b is selected, please provide the information indicated below for each patent or application. Attach additional sheets as necessary.)

Patent No. or Application No. (if pending)	Country	Status (Granted/Pending)	Title	Relevance*
7,505,741	US	Granted	Processing Diversity Signals Using a Delay	
7,515,877	US	Granted	Communicating Signals According to a Quality Indicator and a Time Boundary Indicator	
7,558,591	US	Granted	Determining a Power Control Group Boundary of a Power Control Group	
7,616,930	US	Granted	Determining a Phase Adjustment in Accordance with Power Trends	
7,630,445	US	Granted	Establishing Slot Boundaries of Slots of A Diversity Control Feedback Signal	
7,663,545	US	Granted	Method, System and Apparatus for Determining Antenna Weighting for Transmit Diversity	
7,746,946	US	Granted	Performing A Scan Of Diversity Parameter Differences	
7,783,267	US	Granted	PCB-Based Phase Control Timing Patent Application	
7,792,207	US	Granted	Communication Device with Smart Antenna Using a Quality-Indication Signal	
7,796,717	US	Granted	Modifying A Signal According To A Diversity Parameter Adjustment	
7,835,702	US	Granted	Calculating A Diversity Parameter Adjustment According To Previously Applied Diversity Parameter Adjustments	
11/268,260	US	Granted	PA with Reduced Power Consumption Patent Application	
11/712,569	US	Granted	Method, System and Apparatus for Estimation of Propagation Path Variability of a Transmit Diversity Channel	

Patent No. or Application No. (if pending)	Country	Status (Granted/Pending)	Title	Relevance*
11/976,722	US	Granted	Applying Hybrid ARQ to the Control of Transmit Diversity	
12/048,832	US	Granted	Method, Apparatus and System for Providing Feedback to a Transmit Diversity Device	
12/048,651	US	Pending	Method, Apparatus and System for Controlling a Transmit Diversity Device	
12/042,560	US	Pending	Random Access Channel Probe Initialization Using Transmit Diversity	
12/046,689	US	Pending	Providing Feedback to a Transmit Diversity Device	
12/043,256	US	Pending	Method, Apparatus and System for Providing Transmit Diversity Feedback during Soft Handoff	
11/592,969	US	Pending	Modifying a Signal by Controlling Transmit Diversity Parameters	
11/637,148	US	Pending	Method, System and Apparatus for the Control of Transmit Diversity	
11/645,534	US	Pending	Method, System and Apparatus for Transmit Diversity Control	
02813518.0	China	Granted	Communication Device with Smart Antenna Using a Quality-Indication Signal	
1391059	EU	Granted	Communication Device with Smart Antenna Using a Quality-Indication Signal	
4,328,200	Japan	Granted	Communication Device with Smart Antenna Using a Quality-Indication Signal	
10-0627196	S Korea	Granted	Communication Device with Smart Antenna Using a Quality-Indication Signal	
158,896	Israel	Granted	Communication Device with Smart Antenna Using a Quality-Indication Signal	
218315	India	Granted	Communication Device with Smart Antenna Using a Quality-Indication Signal	

* Note: A Party may, at its discretion, provide further information or explanation in respect of the invention's relevance to the American National Standard or other ATIS Deliverable identified in Section C.

3. If the Party submitting this Statement has checked box 2a or 2b, please indicate whether (*check a or b below*):

- a. The license assurance is provided for any claim(s) of any patent(s) owned or controlled by the Party submitting this Statement, and which such Party has a right to license, covering an invention the use of which is required for compliance with the American National Standard or other ATIS deliverable identified in Section C, including the claim(s) of the patent(s) identified in Section E, if any; or
- b. The license assurance is provided only for the claim(s) of the patent(s) identified in Section E covering an invention the use of which is required for compliance with the American National Standard or other ATIS deliverable identified in Section C.


E. IDENTIFICATION OF PATENTS

(Completion of the following information is optional if D3a is selected. If D3b is selected, please provide the information indicated below for each patent or application. Attach additional sheets as necessary.)

Patent No. or Application No. (if pending)	Country	Status (Granted/ Pending)	Title	Relevance*
7,321,636	US	Granted	Communication Device with Smart Antenna Using a Quality-Indication Signal	
7,327,801	US	Granted	Communication Device with Smart Antenna Using a Quality-Indication Signal	
7,149,483	US	Granted	Amplifying Diversity Signals Using Power Amplifiers	
7,272,359	US	Granted	Communicating Signals According to a Quality Indicator Using Multiple Antenna Elements	
7,430,430	US	Granted	Adjusting a Signal at a Diversity System	

* Note: A Party may, at its discretion, provide further information or explanation in respect of the invention's relevance to the American National Standard or other ATIS Deliverable identified in Section C.

F. SIGNATURE

Name of Authorized Person (type or print legibly):	Lorelee Merchak
Signature of Authorized Person:	
Title:	Director of Finance and Human Resources
Date:	6/24/2011

For more information regarding ATIS' patent policy, please see Section 10.4 of the ATIS Operating Procedures (Version 5.1), which is available online at www.atis.org/op.pdf.

Please return via mail, email (scanned with signature), or fax to:
General Counsel

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