

_____ The company states that: (i) A license will be made available without compensation to applicants desiring to utilize the license for the purpose of implementing the standard or

XX (ii) A license will be made available to applicants under reasonable terms and conditions that are demonstrably free of any unfair discrimination.

Finally,

_____ The company has provided a copy of its licensing terms and conditions along with a statement of the number of independent licensees, if any, which have accepted or indicated acceptance of terms and conditions of the license attached to this form in a envelope sealed by the patent holder for transmittal to ANSI for its review prior to authorizing the publication of the proposed Standard.

NOTE: If not attached, indicate when the envelope will be received at TIA. Indicate the company name and proposed Standard number on the outside. Date due at TIA: See below:

Agreed, on behalf of the above Company:

Kunihiko Niwa
(Signature)

Name (printed): Kunihiko Niwa

Date: 11/02/95

NEC America currently does not license any essential patents with respect to Standards Proposal No. 3389, but will forward a copy of such licensing terms in the event it does license an essential patent prior to the adoption of the standard.

Nothing herein shall be construed to limit any rights available to NEC America under applicable laws.