

**STATEMENT OF PATENT HOLDER CONCERNING THE USE OF
PATENTED DEVICE OR DESIGN IN CONJUNCTION WITH AN
AMERICAN NATIONAL STANDARD**

Note: This form is to be used to record the statement of a patent holder whose patented device or design (pending or approved) may have to be used by a person or organization complying with an American National Standard. This statement is filed and retained pursuant to clause 1.2.11.2 of the *American National Standards Institute Procedures for the Development and Coordination of American National Standards*.

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2. Patent Number(s):

Patent Number	Pending or Approved?	Date of Expiration
5,748,612	approved	5/5/2018

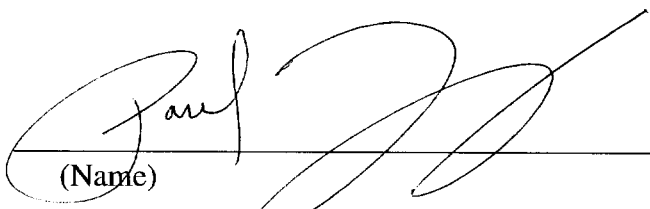
1. Designation and Title of Proposed ANSI Standard: Fibre Channel Physical and Signalling Interface-2 (FC-PH-2) X3.297-1996

List sections of standard to which patent claims relate: FC-PH-2 clauses 11, 4; 21, 18; 34

2. Statement of Patent Holder:

Please check one of the following statements:

- a) A license shall be made available without compensation to the applicants desiring to utilize the license for the purpose of implementing the standard.
- b) A license will be made available to applicants under reasonable terms and conditions that are demonstrably free of any unfair discrimination.
- c) The patentee does not hold and does not anticipate holding any invention the use of which would be required for compliance with the proposed American National Standard.

Signed:  VP Engineering
(Name) (Title)

Company: McDATA CORPORATION

Date: Sept. 24, 1998