

February 7, 2008

Via Email: incits@itic.org



INCITS Secretariat
c/o Information Technology Industry Council
1250 Eye Street NW, Suite 200
Washington, DC 20005

Re: **Information Technology – AT Attachment-8
ATA/ATAPI Command Set (ATA8-ACS)**

Dear Sir or Madam:

This is to advise the INCITS that Apple Inc. (“Apple”) has patent rights (in the form of patent/s and/or pending patent application/s,) including without limitation U.S. Patent numbers 6,520,013, 6,768,066, and 7,218,226, and U.S. Patent Application Publication numbers 2004/0252397, 2004/0252403, 2005/0235385, and 2006/0017692. Apple believes that these patent rights include one or more claims that may be essential for implementing technology set forth in a proposed revision of the above-referenced INCITS standard.

In the event that the proposed version becomes a final INCITS standard (“the Standard”) and Apple has patent rights that are essential to implement a product compliant with the Standard (“Essential Claims”), Apple agrees, upon written request from a party, to negotiate with that party a non-sublicenseable license to the Essential Claims under reasonable and non-discriminatory terms and conditions, solely to the extent necessary to implement required portions of the Standard, provided that the party grants a reciprocal license to Apple and provided that the license terminates if the party initiates a claim of patent infringement, directly or indirectly, against Apple, its subsidiaries, or its affiliates.

Any questions regarding this communication should be directed to:

Director of Patents
Apple Inc.
1 Infinite Loop, MS 40-PAT
Cupertino, CA 95014-2084
Tel: (408) 974-9453
Fax: (408) 974-5436
Email: iplaw@apple.com

Sincerely,

A handwritten signature in black ink, appearing to read 'Rick von Wohld', is written over a circular scribble.

Rick von Wohld
Senior Patent Counsel

RVW/vb
Encls.

Apple Inc.
Rick von Wohld
1 Infinite Loop, MS 40-PAT
Cupertino, CA 95014
Phone: 408-974-8738
Fax: 408-974-5436
Email: vonwohld@apple.com