



IP3 2017 FAQ

Q: What is AST's IP3 2017?

A: IP3 2017 (Industry Patent Purchase Program) is a fixed price, fixed term, collaborative patent purchase program launched by AST. This year's program will provide patent owners access to AST's full Membership representing industries including information technology, software, semiconductors, communications, automotive, health tech, lighting and social media. For a two-month period, patent owners with great patents can submit their patents for acquisition to leading multinational companies.

Starting August 1, 2017 through September 30, 2017, patent owners can submit their patents to the IP3 2017 Internet submission site at a price they set. The submissions will then be reviewed, and if there is interest in buying, submitters will be notified by November 21, 2017.

Q: What technology categories are the focus of this year's IP3?

A: AST Members will focus on five technology categories in IP3 2017 - Internet of Things, Wireless, Content Delivery, Networking, and Communications.

Each category is further explained below:

- Internet of Things
 - The Internet of Things (IoT) is the inter-networking of "connected devices" and "smart devices", vehicles, buildings, and other items—embedded with electronics, software, sensors, actuators, and network connectivity that enable these objects to collect and exchange data.
- Wireless
 - All Wireless communication products and technologies including Mobile Phones and Devices, Network technologies such as LTE, LTE-Advanced, 3G, Wi-Fi, Bluetooth, NFC, etc., Telecom and other Wireless Services.
- Content Delivery
 - This technology relates to delivery or distribution of different forms of content such as video, audio, presentations, movies, animations, advertisements, etc. using various means. The technology includes various services such as IPTV, Broadband TV, VOD, Over-the-air Broadcasting, Streaming Media, P2P Distribution, DTH Video and Cable infrastructure like CATV, etc.



- Networking
 - Networking covers devices and technologies involving design, Quality of Service, hardware, management, services, optimization, and security, architecture of networks. It also includes various types of networks like wired and wireless, telecom, personal area network, virtual, ISDN, P2P, Powerline Network, Optical Network, Ad-Hoc Network, etc.
- Communications
 - Communications include technologies related to the transmission of data over a wire-based communication technology. Examples include telephone networks, cable television or Internet access, and fiber-optic communication.

Q: Why are AST and the AST Members doing this?

A: The success of last year's IP3 among buyers and sellers and the strong results indicated a desire for more fixed-price, fixed-term, patent purchase programs. This year's IP3 is a natural evolution of this kind of innovative solution. Because we are focusing on specific technologies for this version of IP3, we anticipate a very efficient and timely due diligence and selection process for patent acquisitions.

Q: How is IP3 2017 different than last year's IP3?

A: IP3 2017 builds on the success of last year's IP3 and offers patent sellers the ability to sell patents from a very targeted set of technology categories during a focused, time-limited period, with no haggling.

While IP3 2017 is still a fixed-price and fixed-term program, changes from last year's program include:

- Patent Sellers may submit multiple patent families per submission
- Each patent family must include a patent filed in at least one of the following locations: US, China, Europe, France, Germany, United Kingdom, Japan, Taiwan, or the Republic of Korea
- A longer, two-month submission window is available
- Patent Sellers may include claim charts and other supporting documents with their submissions
- The full AST Membership will have the opportunity to review all the submissions

Q: What companies/industries are participating in IP3?

A: The full AST Membership will have the opportunity to review all the submissions including companies such as Ford, Google, Honda, IBM, Microsoft, Oracle, Philips, SAP, Sony and Uber. AST Members are leading companies from various industries including information technology, software, semiconductors, communications, automotive, health tech, lighting and social media.



Q: What are the submission guidelines?

A: IP3 2017 is open for patent submissions starting August 1, 2017 through September 30, 2017.

- Patent holders looking to submit their patents for consideration may submit one or multiple patent families per submission at a fixed price. A preference will be made for single family submissions or related families. Unrelated families may be submitted separately.
- Families submitted must have at least one active granted patent in the US, China, Europe, France, Germany, United Kingdom, Japan, Taiwan, or the Republic of Korea.
- For submissions that do not include US patents, we require the submitter to provide a link to Espacenet and a copy of the patent in English language if the information on Espacenet is not in English.
- If a submission contains more than one patent filed in these countries, the submitter should try to identify one or more featured patent(s) upon which we should base our analysis.
- All the assets in the family are to be included in the submission.
- All submissions should fall into the focused technology categories.

All submissions will be reviewed and sellers will be notified of their patent status by November 21, 2017.

Your submission to IP3 will be on an exclusive basis. You will agree not to sell, transfer, or encumber any of the submitted assets from the date of the submission until November 21, 2017. This obligation will continue after this date if we send you a notice to purchase your submitted assets.

Please visit ast.com/IP3 for more information on the submission process.

Q: Who can make a submission to IP3 2017?

A: If you own an active granted patent in the US, China, Europe, France, Germany, United Kingdom, Japan, Taiwan, or the Republic of Korea or have a legal right from the patent owner to sell the patent, you can make a submission to IP3 2017. We are only able to pay entities or individuals that have a US Tax ID number. US companies will be required to supply a W-9, foreign companies will be required to provide a Form W-8BEN-E, and individuals will need to supply a Form W-9 (SSN) or a Form W-8BEN. [Note: Forms available at <https://www.irs.gov/>.]

Q: How do I submit if there are multiple owners to the same patent?

A: Please make only one submission with all the names listed.



Q: Can I select more than one category in my submission?

A: No. You must select one of these categories in your submission:

- Internet of Things
- Wireless
- Content Delivery
- Networking
- Communications

Q: Can I/How do I submit more than one patent family?

A: Unlike last year's program, this year we will accept multiple related patent families per submission. You are also free to make multiple submissions. If you wish to sell patents that are not within the focused technology categories, please feel free to submit those offerings to AST's standard patent purchase program at <http://ast.com/interested-in-selling-to-ast/>.

Q: Do I have to sell the entire patent family?

A: Yes, IP3 will purchase the entire patent family only. Under this program, we consider a patent family to be all assets that are linked directly or indirectly to a priority filing (extended or "INPADOC" patent family) which includes priorities, continuations, continuation in parts, divisionals and foreign counterparts. For additional information, refer to Definition 3 in this link: <https://www.epo.org/searching-for-patents/helpful-resources/first-time-here/patent-families/definitions.html>.

If you submit patents subject to a terminal disclaimer or have patents terminally disclaimed from it, the terminally disclaimed patents and the patents that have terminally disclaimed patents from them must be included as part of the patent family.

Q: Can I submit pending applications for review?

A: If a pending application (provisional or non-provisional) is a part of a family with at least one active granted patent in the US, China, Europe, France, Germany, United Kingdom, Japan, Taiwan, or the Republic of Korea, please submit it. We will not consider submissions with only pending applications.

Q: Can I submit expired assets?

A: The main granted patent in the US, China, Europe, France, Germany, United Kingdom, Japan, Taiwan, or the Republic of Korea must be active at the time of your submission. If the main patent has expired patents or applications as patent family members, please include them in your submission as family members. We will not consider submissions with only expired assets.



Q: Can I submit design patents?

A: You may submit design patents or applications that are family members of a utility active granted patent in the US, China, Europe, France, Germany, United Kingdom, Japan, Taiwan, or the Republic of Korea. We will not consider submissions with only design assets.

Q: I have received notice of grant from the patent office, but haven't gotten a number yet. Can I still submit?

A: If you have a patent number assigned by the time the portal closes on September 30, 2017, please submit it. We require at least one active granted patent in the US, China, Europe, France, Germany, United Kingdom, Japan, Taiwan, or the Republic of Korea in the submission.

Q: How do I submit claim charts or EOU?

A: Follow the instructions on the submission form to include claim charts and other supporting documents with the patent submissions.

Q: I would like the claim charts, EOUs to be treated as Confidential. Do I need to execute an NDA?

A: No. Our confidential obligation is included in the Terms and Conditions. We will agree to take commercially reasonable steps to keep your submission and any supporting documents (claim charts, EOUs, etc.) confidential. For additional information, please refer to the Terms and Conditions document available to download at ast.com/ip3.

Q: If my patent is subject to a security interest, may I still submit it through AST's IP3?

A: IP3 2017 will not purchase any assets with a security interest. Unless you release the security interest prior to submitting it to AST's IP3, the submission will not be accepted.

Q: My patent is licensed/encumbered. Do I need to disclose this information?

A: This information will need to be provided before any purchase. We prefer to have the information provided with the Submission Form under the confidentiality provision of the Terms and Conditions. If not supplied with the submission, the parties that are notified of IP3's tentative intent to purchase must supply all the known encumbrance information related to the patent(s) in the Exhibit C of the Patent Assignment Agreement. They will also need to provide us with a list of any enforcement activities relating to the patent (e.g., any active enforcement proceedings), and a list of currently active disputes involving their patent (e.g., any ownership disputes, etc.).



Q: Would you license patents?

A: This program will only consider purchases. Please feel free to submit assets available to license to AST's standard program at <http://ast.com/interested-in-selling-to-ast/>.

Q: Do I get a grant back license (and the extent of such license) to the patent I am selling you?

A: Yes, Section 1.3 of the Patent Assignment Agreement, available to download at ast.com/ip3, includes the following language: "As of the Effective Date, IP3 hereby grants to Assignor for the life of all the Patents, an irrevocable, non-exclusive, non-transferable, non-assignable (including by operation of law or otherwise), non-sub-licensable, worldwide, fully paid-up right and license under the Patents, to develop, have developed, make, have made, use, have used, sell, offer to sell, import, export and otherwise transfer or dispose of any product, service, method or process."

Q: If IP3 2017 buys my patent, can I still practice the invention?

A: Yes, pursuant to the Patent Assignment Agreement, which may be found at ast.com/ip3, that will be used for all transactions the patent owner will have a license back to practice the invention.

Q: Would you accept a sale that requires multiple payments instead of one paid-in-full amount?

A: No, this program will not consider payments over time.

Q: Will you consider edits to the Patent Assignment Agreement?

A: No, we will not consider edits to the PAA. This program requires the use of the Patent Assignment Agreement provided at ast.com/ip3.

Q: What if I miss the IP3 2017 deadline?

A: Patent sellers who have missed the IP3 2017 deadline may still submit patents for purchase by AST to our standard program at <http://ast.com/interested-in-selling-to-ast/>.

Q: What if my submission does not meet the requirements for IP3 2017?

You may submit patents for purchase by AST to our standard program at <http://ast.com/interested-in-selling-to-ast/>.



Q: If I submit assets to IP3 2017 and then change my mind, can I withdraw or cancel my submission?

A: No. For additional details, please refer to the Submission Terms and Conditions available for download at ast.com/ip3.

Q: I already submitted my portfolio to AST's standard program. May I submit the same portfolio to IP3 2017?

A: No, you need to choose between AST's standard program and the IP3 program. You may transfer your portfolio from our standard program to IP3 if the patent list is the same and your listing is active. To transfer your listing to IP3, please send an email to patents@ast.com with your reference/AST Lot number, your fixed price, and the primary technology category. Please also attach a signed copy of the Terms and Conditions to your email. The Terms and Conditions document is available to download at ast.com/ip3.

Q: Can I submit a patent to IP3 2017 that is a subset of a portfolio already submitted to AST's standard program?

A. You may submit it to IP3 2017 if the current status of the AST's standard listing is closed or the patent and its family members are removed from the active listing. You can check the status of your lot and make any changes to your AST's standard program listing prior to submitting your portfolio to IP3 2017 by contacting patents@ast.com.

Q: I am the patent owner and have offered my patent(s) to other potential buyers and want to submit it to IP3 2017. Do I need to withdraw my submission sent to other potential buyers?

A: Yes. Your offer is made on an exclusive basis. In the Submission Terms and Conditions you will agree not to sell, transfer or encumber your submitted patents until the end of the review period (November 21, 2017 or later if we contact you with a tentative notice to move forward with a transaction). For additional details, please refer to the Submission Terms and Conditions available for download at ast.com/ip3.

Q: I am the patent owner and have my patents listed for sale with a patent broker. Do I need to terminate my brokerage agreement prior to submitting my patent(s) to IP3 2017?

A: Your patent broker may represent you in your submission to IP3 2017. We accept the submissions from the patent owners or their brokers/intermediaries. However, your patent broker will need to withdraw the offer for sale with other potential buyers as the offer to IP3 2017 is made on an exclusive basis. After submitting your patents to IP3 2017, you will agree not to sell, transfer or encumber your submitted patents until the end of the review period (November 21, 2017 or later if we contact you with a tentative



notice to move forward with a transaction). We recommend you review the Terms and Conditions prior to submitting your patents to IP3 2017.

Q: When will I know my submission's status?

A: Our goal is to let all submitters know by November 21, 2017 if their submissions are tentatively accepted to move to the next step for purchase. With respect to sellers who AST contacts about purchasing their patents, please understand such notice is tentative and will require the seller to supply additional information to AST.

Q: Will I know which companies are interested in my patent?

A: IP3 2017 will be making all purchases on behalf of a group of companies. You will not know, nor can we identify any specific company's interest in your patent.

Q: If my submission is accepted/approved for purchase, how will I be paid?

A: If we remain interested in completing the transaction with you after reviewing all materials, we will return a fully executed agreement to you and payment will occur within 30 business days thereafter pursuant to the ACH wire transfer instructions you provide.

Q: What happens if my submitted patents are not purchased?

A: We will notify you by November 21, 2017 if the decision is to not purchase your patents. Your submitted patents will be automatically transferred to our standard program on a non-exclusive basis. You may make changes to your listing (price expectation, patent list, marketing materials, etc.), offer your patents to other potential buyers or close your listing at any time if you decide to withdraw your offering or your patents are sold.

Q: Who can I contact for more information?

A: If you have additional questions, please email IP3@ast.com.

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