

Outline of the Patent License Agreement

for the LED Luminaires and Retrofit Bulbs Licensing Program

Intellectual Property & Standards

March 2014

This presentation is for information purposes only. It is not intended to be a contract and shall not be legally binding in any respect on any party. There shall be no contract until a final written contract is signed by authorized representatives of both companies.

PHILIPS

For which products do royalties apply?

- You only need a license if you use Philips' technology protected by a licensed patent
- Royalties (payment for use of our patented technologies) are charged on a country by country and product by product basis
- You only need to pay royalties on products made or sold in a country where Philips has a issued (granted) patent covering a feature of that product
- So royalties may not apply to all your products and not to sales in all countries

Luminaires using qualified components

No royalties due provided that the following are from a qualified supplier:

- **all LED light-engine modules** (LEDs placed on one or more common circuit board(s)); and
- **all LED drivers**; and
- **all components**, if any, **for controlling** the light output of the LEDs used in the luminaire.

The trademark of the respective qualified supplier(s) must be **identifiable** on each of the above components assembled in the luminaire.

Determine products that require a license

- Products that require a license will be listed in an annex to the agreement
- For each such product, the annex also identifies each country in which Philips has an issued licensed patent that covers a feature contained within that product
- Licensee can submit a product description and a completed technical questionnaire to Philips so that Philips can determine which of licensee's LED-based Luminaires and Retrofit Bulbs require a license
- Or, alternatively, licensee can conduct a self-assessment of its own products to determine which products require a license; but Philips reserves the right to review and approve licensee's assessment

Royalty Reporting Requirements

- Licensee is required to provide quarterly royalty reports and payments
- For each product listed, the royalty report should identify the manufacturer of the products, where the products were made and where the products were sold (on a country-by-country basis)
- Royalties shall be applied to the net revenues of those products that were made or sold in a country in which Philips has an issued patent that covers a feature which is contained within that product
- No royalty, however, will be due on luminaires that exclusively contain qualified components that are sourced from a qualified supplier
- If all products sold in a given quarter are luminaires that exclusively contain qualified components, then licensee will be entitled to only submit a simple certification statement for that quarter instead of a detailed reporting.

