

NATO STANAG 5651

LICENSE FOR THE USAGE OF THE ESSOR HDRWF STANDARD

The purpose of the present license (the "**License**") is to set forth the conditions pertaining to the use and implementation of the ESSOR HDRWF Standard (the "Standard") referenced by the North Atlantic Treaty Organization (NATO) Standardization Agreement (STANAG) 5651.

1. Definitions

Beneficiary Nation shall mean a nation having access to the STANAG 5651. The beneficiary nations are the NATO member countries, as well as Australia, Austria, Finland, Ireland, New Zealand, Sweden and Switzerland.

Beneficiary Implementer shall mean a legal entity (including but not limited to companies) which is granted a sub-license by a Beneficiary Nation or NATO to implement the ESSOR HDRWF STANDARD and the required modifications to the radio system for that Beneficiary Nation needs. The Beneficiary Implementer shall meet the following criteria:

- it is incorporated and having its headquarters in a Beneficiary Nation,
- and
- in case this legal entity is an affiliate or a subsidiary of a parent company, the headquarters of the parent company are located in a Beneficiary Nation.

2. Ownership

Bittium Wireless Ltd¹, Indra Sistemas S.A.², Leonardo Spa³, Radmor S.A.⁴, Rohde & Schwarz GmbH & Co. KG⁵, Saab AB⁶, Thales SIX GTS France⁷ and are the owners (the "Owners") of the intellectual property attached to the European Secure Software Radio High Data Rate Waveform ("ESSOR HDRWF") specifications, as reproduced in the ESSOR HDRWF STANDARD except for any information available in the public domain.

a4ESSOR SAS⁸ is the company established by the Owners to coordinate their cooperation in the frame of the ESSOR Program and to deal with their associated intellectual property rights.

The ownership of such intellectual property shall not be affected by the terms of the present Licence.

3. Rights granted to NATO and the Beneficiary Nations

The Owners hereby grant NATO and the Beneficiary Nations, at the conditions set forth below, perpetual, a non-exclusive, royalty-free right to use, and have used by a Beneficiary Implementer, the information contained in the ESSOR HDRWF STANDARD, for the sole purpose of ensuring radio interoperability among the armed forces of the Beneficiary Nations (the "Purpose"). Beneficiary Nations can deploy the ESSOR HDRWF resulting from the implementation of the ESSOR HDRWF STANDARD either for national or multinational usage. The right to have used by an entity other than a Beneficiary Implementer shall be subject to a specific license to be agreed on a case-by-case basis with a4ESSOR SAS.

The right to use includes the development of the ESSOR HDRWF STANDARD. It does not include the development of other deviating waveforms by total or partial exploitation of the IPRs contained in the ESSOR HDRWF STANDARD circumventing the intention of this licence agreement. Any other use is prohibited unless otherwise agreed by the Owners through a specific licence. a4ESSOR SAS warrants that no further third-party licences are required

The Beneficiary Implementer shall have no right to enter into a partnership – regardless of its legal form – with legal entities not meeting criteria of the Beneficiary Implementer for the use of information contained in the ESSOR HDRWF STANDARD.

4. Effectivity

The rights granted under the present Licence shall become effective at the date of promulgation of the Standardization Agreement STANAG 5651.

a4ESSOR SAS (on behalf of the Owners)

Lino Laganà

President and General Manager

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