



# S. MAJUMDAR & CO.

PATENT & TRADEMARK ATTORNEYS

Undertakings: Intellectual Property Laws,  
Patents, Trademarks, Designs, Copyrights,  
Licencing, Investigations, Litigations  
**DOMESTIC AND INTERNATIONAL**

5, Harish Mukherjee Road, Kolkata-700 025, India  
Tel: 91-33-2455 7484/85/86, Fax: 91-33-2455-7487/88, E-mail : cal@patentindia.com

The Controller of Patents  
The Patent Office  
Kolkata

March 10, 2014

Dear Sir,

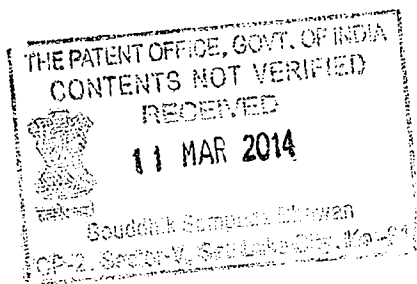
Re: **WORKING STATEMENT - 2013**  
**As per Annexure Attached**

In connection with the aforesaid subject, we submit herewith:

- Formal application Form-1 (in duplicate)
- Power of Attorney
- Formal Form 5
- Priority document
- Further particulars of foreign filings (in duplicate)
- Formal drawings sheets (in duplicate)
- Form 4 for extension of time months
- Petition under Rule 137
- Petition under Rule 138
- Statement regarding the working of the Patented Invention on a commercial scale in India under Section 146(2) of the Patents Act, 1970 in Form – 27 in duplicate.**

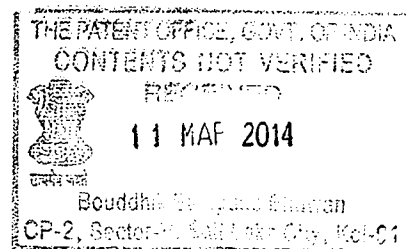
Yours faithfully,

ABHISHEK SEN  
Of S. MAJUMDAR & CO.  
(Patentee's Agent)



**LIST OF PATENT APPLICATION**  
**ANNEXURE TO WORKING STATEMENT**

| Sl. No. | Application Number | Patent Number | Dated      |
|---------|--------------------|---------------|------------|
| 1.      | 1436/CAL/1997      | 192029        | 04/08/1997 |
| 2.      | 0656/KOLNP/2003    | 229508        | 07/11/2001 |
| 3.      | 1750/KOLNP/2005    | 235605        | 09/01/2004 |
| 4.      | 1299/KOLNP/2006    | 245788        | 20/10/2003 |
| 5.      | 2013/KOLNP/2006    | 246291        | 22/12/2003 |
| 6.      | 1734/KOLNP/2006    | 247995        | 09/11/2004 |
| 7.      | 2069/KOLNP/2007    | 249809        | 10/11/2004 |
| 8.      | 0022/KOLNP/2006    | 251246        | 07/06/2004 |
| 9.      | 2100/KOLNP/2006    | 251757        | 29/12/2004 |
| 10.     | 2104/KOLNP/2007    | 253344        | 15/11/2004 |
| 11.     | 2105/KOLNP/2007    | 253931        | 17/11/2004 |
| 12.     | 3905/KOLNP/2006    | 255704        | 28/05/2004 |
| 13.     | 4238/KOLNP/2007    | 255734        | 11/04/2005 |
| 14.     | 3702/KOLNP/2006    | 255787        | 13/05/2005 |
| 15.     | 0922/KOL/2005      | 257741        | 26/08/1998 |
| 16.     | 1315/KOLNP/2007    | 257970        | 17/09/2004 |
| 17.     | 3577/KOLNP/2006    | 258085        | 25/04/2005 |
| 18.     | 2368/KOLNP/2007    | 258237        | 30/11/2004 |



**FORM 27**  
**THE PATENTS ACT, 1970**  
**(39 of 1970)**  
&  
**THE PATENTS RULES, 2003**

STATEMENT REGARDING THE WORKING OF THE PATENTED  
INVENTION ON COMMERCIAL SCALE IN INDIA  
*[See sections 146(2) and 131(1)]*

In the matter of Patent No. 251757 of 29/12/2001.

I/We TELEFONAKTIEBOLAGET L M ERICSSON (PUBL) of SE-164 83 STOCKHOLM SWEDEN

The patentee(s) /or licensee(s)/ under Patent No. 251757 hereby furnish the following statement regarding the working of the patented invention referred to above on a commercial scale in India for the year 2013.

(i) The patented invention:

{  } Worked                      {  } Not worked <sup>1</sup>

(a) <sup>2</sup>

(b) <sup>3</sup>

Manufactured in India

The said patent is one among the plurality of patents associated with a single product or plurality of products sold and manufactured by Ericsson in India. Accordingly it is close to impossible to provide an indication of specific or even close to accurate financial value of the said patent in isolation because of the said situation.

The said patent relates to electronic communication infrastructure as produced by Ericsson plant in Jaipur, India.

The various patents of Ericsson represent technologies which need to be used with various other technologies of Ericsson in a single or plurality of products. The technology platforms are extremely complex and difficult for evaluation in terms of specific numbers also.

It may be noted that Ericsson's total product sales in India during 2013 amounts to:

Networks: 3,09 Billion SEK and that approximately corresponds to 25,6 Billion Rs (1 SEK approximately being 8,3 Rs)

Apart from the above Ericsson also earns from licensing its patents (including IN 251757).

(ii) <sup>4</sup>

This patent is essential for a 3rd Generation Partnership Project (3GPP) standard and Ericsson is also, subject to reciprocity, committed to make its standard essential patents available through licensing on fair, reasonable and non-discriminatory (FRAND) terms.

There are cross license agreements between Ericsson and licensees, giving mutual rights to produce despite monopoly afforded by patents that are hold by any of the companies. Products sold by such licensees should include the technology of the patent. The products sold by such licensees are imported to India while some manufacturing may also be performed in India.

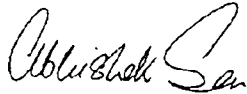
As all the licenses are confidential in nature, the details pertaining to the same shall be provided under specific directions from the Patent Office.

(iii) <sup>5</sup>

Public requirement has been met to the fullest extent at reasonable price.

The facts and matters stated above are true to the best of my/our knowledge, information and belief.

Dated this 8<sup>th</sup> day of March 2014

  
ABHISHEK SEN  
Of S. Majumdar & Co.  
Patentecs' Agent

To  
The Controller of Patents  
The Patent Office  
at Kolkata

1. Tick (✓) mark the relevant box.
2. If not worked: reasons for not working and steps being taken for working of the invention.
3. If worked: quantum and value (in Rupees), of the patented product:
  - i) manufactured in India;
  - ii) imported from other countries. (give country wise details);
4. The licenses and sub-licenses granted during the year.
5. State whether public requirement has been met partly/adequately/to the fullest extent at reasonable price.
6. To be signed by person giving the statement