



Koninklijke Philips Electronics N.V.

P.O. Box 218 - 5600 MD Eindhoven - The Netherlands

[Click and type Addressee]

Re. **CD-RW Disc Patent License Agreement; Extension to include Ultra Speed CD-RW Disc patents**

Ref: EW/EW

Date:

Dear Sirs,

Reference is made to the CD-RW Disc Patent License Agreement between our companies dated (“the Agreement”) as well as the definitions used therein.

It is our pleasure to inform you that Philips is prepared to extend the license by adding to the Licensed Products as defined in the Agreement, Ultra Speed CD-RW Discs conforming to the CD-RW Standard Specifications, Part III CD-RW, Volume 3 Ultra Speed.

Therefore it is hereby agreed as follows:

1. Philips hereby grants and Licensee accepts an extended license under the patents which are essential to Ultra Speed CD-RW Discs and which have a filing date or are entitled to a priority date prior to November 1, 2002. Accordingly, the Licensed Patents are hereby extended to include the patents listed in Annex A-US, attached to this Side Letter.
2. In consideration of the grant of the extended license by Philips under the patents which are essential to Ultra Speed CD-RW Discs and similar undertakings by third party licensees of Philips, Licensee agrees that the undertakings set out in **[Philips only: Clause 2.7 and Clause 2.8 joint: Clause 2.6 and Clause 2.7]** of the Agreement shall include Licensee’s present and future patents which are essential to Ultra Speed CD-RW Data Recorders and/or Ultra Speed CD-RW Discs conforming to the CD-RW Standard Specifications, Part III CD-RW, Volume 3 Ultra Speed, as made available, modified or extended from time to time.
3. The royalties for the use of the Licensed Patents in respect of Ultra Speed CD-RW Discs, shall be the same as the royalties for the use of the Licensed Patents in respect of CD-RW Discs, as stipulated in the Agreement.
4. By countersigning this Side Letter, Licensee represents that it has reported and paid royalties for, or will within 30 days from the date of execution of this Side Letter report and pay royalties for, all Ultra Speed CD-RW Discs manufactured and sold as from the date of first production.



5. The CD-RW Standard Specifications, Part III CD-RW, Volume 3 Ultra Speed shall be made available to Licensee upon receipt by Philips of the two signed copies of this Side Letter.

If the above properly reflects our mutual understanding and agreement, please indicate so by signing two copies of this Side Letter and returning same thereafter to us for our signature, after which this Side Letter shall form an integral part of the Agreement. Upon receipt of the two signed copies we will arrange for countersignature on our part.

Thank you for your co-operation.

Yours faithfully,

Koninklijke Philips Electronics N.V.

Name:

Title:

Agreed for and on behalf of:

Name:

Title:

Reference copy