

Statement of Negotiated Data Solutions LLC (“N-Data”)

September 23, 2008: The FTC’s action of today’s date confirms that the NWay/IEEE Standard Patent License Offer that N-Data has been offering under its auto-negotiation patents since May 2007 fully honors all obligations under the letter that National Semiconductor sent to the IEEE in 1994. This action also confirms that N-Data’s patents unrelated to auto-negotiation, including patents used in certain products implementing USB and/or High Definition Audio (HDA) functionality, are not impacted by the FTC action or the NWay/IEEE Standard Patent License Offer.

While the FTC complaint contains allegations that are misleading and/or without basis (see, e.g., N-Data’s formal comments¹ as well as the dissent from then-Chairman Majoras²), N-Data welcomes the formal closing of this matter.

N-Data hopes that the thousands of companies that are using its auto-negotiation patents without license will sign the NWay/IEEE standard license. N-Data is donating all proceeds from the NWay/IEEE Standard Patent License Offer to one or more non-profit organizations identified by the RIPL Group³. N-Data has a commitment to help fund environmental responsibility and sustainable development projects, and is a member of the RIPL Group.

More information regarding the background of the NWay/IEEE Standard Patent License Offer is available at negotiateddata.com⁴.

¹ <http://www.ftc.gov/os/comments/negotiateddatasol/534241-00011.pdf>

² <http://www.ftc.gov/os/caselist/0510094/080122majoras.pdf>

³ <http://www.riplgroup.org/>

⁴ http://www.negotiateddata.com/files/NData_IEEE_Assurance_Letter_History.pdf