

ConsortiumInfo.org A Unique Website on Standards and Consortia

Contacts:

Priscilla McMullen 617-350-6800 x 307 (pmcmullen@lgu.com)
Andy Updegrove 617-350-6800 x 335 (aupdegrove@lgu.com)

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September 5, 2002 – Boston-based law firm Lucash, Gesmer & Updegrove LLP today announced the creation of a publicly available, no-fee website exclusively devoted to standard-setting and technical consortia. Standard-setting and consortia (such as the World Wide Web Consortium) are cornerstones of the modern technology-based world, and **ConsortiumInfo.org** is the most detailed and comprehensive single resource on (or off) the Internet on these topics. Its unique design makes it equally valuable for both casual users and serious researchers alike.

ConsortiumInfo.org provides a wealth of information on all topics relevant to standards and consortia, including: why consortia are formed; how to evaluate joining a consortium; government policy; certification and branding; intellectual property rights policies; laws, cases and regulations; and other topics important to standard setting work. It also compiles news and press releases from the standards and consortium industry, and provides a forum for debate.

Today, there are hundreds of consortia creating thousands of standards in all conceivable technical areas, from the mundane to the most exotic. These standards underlie and enable the rapid evolution of new technologies in areas such as telecommunications, the Internet, bioinformatics, and web services. Currently the activities of consortia are coming under increasing scrutiny by antitrust regulators, as some participants in the standard setting process push the intellectual property rights envelope and consortia strive to adapt their policies to meet the challenge.

"More than ever, the world is dependent on standards", said Andrew Updegrove, a nationally recognized expert in standard setting and consortium practices and a partner at Lucash, Gesmer & Updegrove. "Right now, there's substantial litigation in process alleging standards abuse, the Federal Trade Commission has intervened and the Justice Department and FTC are considering issuing new guidelines. As a result, a large percentage of consortia are struggling with the challenge of moving forward while large companies become increasingly insecure about the nature of their participation."

Updegrove, who has represented and helped structure more than 50 worldwide standard-setting consortia, including some of the largest standard setting organizations in the world, underscored the uniqueness of the site by saying: "What little information is available on these topics elsewhere is fragmented and sparse. Before we created this site, it was extremely difficult to gain either an in-depth or a comprehensive knowledge of the standard setting process and the

organizations that manage that process. Between the book-length content that we have created at the site and the hundreds of annotated links to laws, articles, consortia, websites and other resources that we have provided, both the casual visitor as well as the academic researcher can find whatever they need. Without being publicized, the site is already being used on a daily basis by visitors from all over the world.”

The site is also designed to be highly interactive, enabling those involved in the standard-setting and consortium world to post questions at moderated discussion boards, email pages to others, submit press releases, links and news, and otherwise interact as a community.

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About ConsortiumInfo.org

ConsortiumInfo.org is the most detailed and comprehensive resource on (or off) the Internet on the topics of standard setting and consortia. The thousands of standards that are maintained by consortia today are what allows the billions of independent technical elements of our modern, technological world to interoperate. The site provides everything anyone would want to know about forming a consortium, participating in a consortium, or understanding standard setting. It contains a full explanation of all major topics relevant to standard setting consortia. ConsortiumInfo.org's unique design makes it equally valuable for both casual users and serious researchers alike. Its interactive features enable visitors to post questions at moderated discussion boards, email pages to others, submit press releases, links and news --a true community site for the standard setting world.

About Lucash, Gesmer & Updegrove, LLP

Lucash, Gesmer & Updegrove LLP, is a Boston law firm that represents technology clients from the newest startups to Fortune 500 companies, venture capital funds and major universities. The firm's services include representation in the areas of business formation, venture capital and financing, mergers and acquisitions, intellectual property, Internet and electronic commerce, securities law, litigation, consortium and standard setting, employment law, licensing and taxation. The firm also provides business consulting services to assist companies in forming and operating promotional and standard-setting consortia.

CONSORTIUMINFO.ORG FAQ SHEET

Q. What is a consortium?

A. A consortium is a group of companies that join together to accomplish a specific goal. In the technology industry, they most frequently join together to set standards to enable the development of new infrastructures (e.g., for the Internet and telecommunications), products (e.g., high definition television and wireless peripheral devices), software (e.g., Linux for business users) and services (e.g., web services). Without agreement between multiple vendors on such standards, none of these processes, contracts, or services could be successful. Most consortia also promote these new technologies, in order to educate potential customers and create demand. There are hundreds of consortia in operation today, supporting thousands of standards.

Q. Who joins consortia?

A. Thousands of companies are members of anywhere from a single consortium to scores of such organizations. Members also include government agencies, non-profit research institutions and major universities. Membership in a given consortium can cost anywhere from several hundred dollars to several hundred thousand dollars, depending on how ambitious its goals are.

Q. What is ConsortiumInfo.org?

A. ConsortiumInfo.org is the most detailed and comprehensive resource on (or off) the Internet on the topics of standard-setting and the consortia that support this process. Its attributes include: book-length content which we have created for the site; the full-length text of third party articles; many interactive features; and hundreds of annotated links to standard setting consortia, laws, other web-based resources, and primary research materials. These features make it not only the most useful resource for those interested in its subject matter, but a new type of research site which has been designed to take advantage of the unique qualities of the Internet.

Q. How does it do that?

A. In a variety of innovative and interactive ways. First, a reader can read “across” the major categories and gain a comprehensive and in-depth knowledge about standard-setting and consortia. At the same time, someone interested in doing in-depth research can follow the links and subcategories down through successive levels to access laws, cases, articles and other types of materials and resources. In each and every case, a helpful annotation will inform the visitor of the nature of the new material, to make it simple to determine whether the visitor’s time in reviewing that material will be rewarded. Hundreds of links, each of them annotated, can also take a visitor outside the site to a wealth of other resources indexed through ConsortiumInfo.org.

Q. Who created this site?

A. ConsortiumInfo.org was created by Lucash, Gesmer & Updegrove LLP, a Boston-based law firm which serves emerging and established high-tech companies, venture capital firms, and major universities. LGU has also helped form and represented more than 45 standard-setting and promotional consortia, including some of the largest and most influential consortia in the world. **LGU believes that it has represented more standard-setting consortia than any other law firm in the country.** Besides legal representation, it provides

business consulting services to help companies structure consortia that will attract a wide membership, and to help them create strategies that lead to success.

Q. Why did LGU create ConsortimInfo.org?

A. ConsortiumInfo.org provides a number of benefits to the firm, its clients and the industry at large. First and foremost, it is a valuable informational resource for our clients. It is also a way to demonstrate our expertise to a worldwide audience by providing in-depth explanations of all of the important aspects of standard-setting and consortium formation and operation. Finally, creating and updating the site provides professional satisfaction to the attorneys at our firm who have invested a substantial part of their time gaining expertise in this area. We are pleased to make this free resource available to those involved in standard-setting and consortium activities around the world, whether or not they are (or ever become) our clients.

Q. Who uses ConsortiumInfo.org?

A. ConsortiumInfo.org has already been utilized by visitors from over 65 countries, prior to its public launch. Visitors include not only employees of high tech companies and consortia, but academics, employees of government agencies, students and journalists. Over time, we hope that the site will become an interactive community site where people update each other on current news, and debate current issues.

Q. What topics does ConsortiumInfo.org cover?

A. Major topics include: "What (and Why?) is a Consortium?", "Evaluating Joining a Consortium", "Maximizing the Value of Participating in a Consortium", "Forming a Consortium", "Intellectual Property Rights Policies", "Certification Testing and Branding", "Government Issues and Policies", "Laws, Cases and Regulations", and "Articles and Resources". Each of these major topics includes many subtopics.

Q. What are the Interactive Features?

A. The interactive features include: an attorney-moderated discussion board section, where visitors can post questions and begin discussions on topics of interest to the standard-setting community; the ability to submit press releases, meeting notices and other news; the ability to link rapidly between topics and from summary level information through to primary research materials; and in a the ability to email pages to others; and the ability to subscribe to news updates and content bulletins.

Q. Why does the site look so plain?

A. A conscious effort was made to emphasize content over graphics. The clean, uncluttered design allows every page to be downloaded within a second over a slow, telephone modem, and the indexed, content-dense home and other pages are designed to assure visitors that "browse in" that they have found the information that they are seeking. A great deal of effort was also spent in careful metatagging of the site, so that browser hits would generate useful summaries of what the discovered page deals with. As a result, over 75% of site visitors spend more than a minute at the site. 28% spend more than five minutes, and 16% spend more than 10. Some spend hours, and many return within a day.

CONSORTIUMINFO.ORG TOPIC INDEX

What (and Why) is a Consortium? - An explanation of what consortia are, why they are formed, and what they do.

Evaluating Whether to Join a Consortium - Useful guidelines for evaluating whether a given consortium is appropriate to join.

Maximizing Consortium Participation Value - Guidelines to help a company gain the greatest benefit from its commitment of economic and human resources to the consortium process

Forming a Consortium- An introduction to the tax, intellectual property, branding, corporate governance, consensus building and other factors relating to forming a successful consortium.

Intellectual Property Rights Policies - A tutorial on creating an IPR policy, which also explains the reasons for (and against) various common policy terms.

Certification Testing and Branding - How standards are tested, marketed and branded.

Government Issues & Policy - Information and links relating to governmental action and policy in the standards area.

Laws, Cases & Regulations - Standard setting is both encouraged and regulated under prevailing antitrust and other laws. From time to time, disputes and government enforcement actions do arise. A discussion of relevant rulings and issues.

Consortium and Standards List- Brief descriptions of, and links to, over 100 of the consortia that are active today. Where available, links are also provided to the standards maintained and IPR policies adopted by each consortium.

News and Events - News on the formation of new consortia, government activities, new legal decisions, conferences and other news and events of interest to the consortium and standard-setting communities.

Articles & Resources - An annotated full-text library of articles on the formation, regulation, analysis and operation of consortia and standard setting, as well as links to other sites with useful information on consortia and standards.

Discussion Board - A moderated forum where visitors can post a question or start a discussion about consortia, standard setting, open source, recent cases, IPR policies or any other topic relevant to this site.

Organizations and Service Providers - Contact information relating to service providers, consultants and others who support the activities of consortia and standards setting bodies.

About LGU - A brief introduction to the firm that created ConsortiumInfo.org.

CONSORTIUMINFO.ORG EDITOR

Andrew Updegrove, a partner in the Boston law firm of Lucash, Gesmer and Updegrove LLP, has been helping create and representing technology consortia since 1988. During that time period, he and his firm have been retained by many of the largest technology companies in the world to assist them in forming consortia. He has also written and spoken frequently on the topics of consortia and standard setting, and has given testimony to the Department of Justice and Federal Trade Commission on the same topics.

Over time, it became increasingly clear to him that there was no centralized resource to which he could direct his clients (who, in most instances, had not been involved in consortium formation previously) in order that they could become more familiar with the subject area. In order to address this need, he and other personnel of his firm worked together to create ConsortiumInfo.Org.

Besides working with consortia, he has a broad range of experience in representing both mature and emerging high technology (and particularly software and Internet) companies in all aspects of their legal affairs. The greatest part of his time over more than 20 years in practice has been spent counseling many hundreds of emerging high technology and other fast growth clients. He spends a significant part of his time giving strategic advice to clients of the firm, and was recently named one of the "Best VC Lawyers" in Boston by the Digital Industry News.

Mr. Updegrove is a graduate of Yale University and the Cornell University Law School. He is a certified mediator, and a member of the Panel of Mediators of the Massachusetts Software and Internet Council. Outside the office, he is the Moderator of the Old North Church in Marblehead, the Treasurer of the Vinalhaven [Maine] Land Trust, and a founder of Patrons of the Arts, a non-profit organization that helps newly-graduated artists launch their careers.