

ISA100 LETTER OF ASSURANCE

Please mail or FAX to: T.S. "Chip" Lee, ISA, 67 Alexander Drive, Research Triangle Park, NC
27709 USA
FAX: 919-549-8288

A. PATENT HOLDER/ORGANIZATION:

Legal Name of Person or Entity (the "Patent Holder"): Fisher-Rosemount Systems, Inc.

B. PATENT HOLDER'S CONTACT FOR PATENT LICENSING:

Name & Department: Michael Sheldon, Vice President & Associate General Counsel

Address: 12301 Research Blvd., Austin, TX 78759

Telephone: 512-834-7346 Fax: E-mail: mike.sheldon@emerson.com

C. PROPOSED ISA100 STANDARD:

Number: ISA100.11a

Title: Wireless standard, title TBD

D. PATENT HOLDER'S POSITION ON ENFORCEMENT OR LICENSING PATENT RIGHTS:

Those patent(s) and/or pending applications owned or controlled by the Patent Holder that would be, or that Patent Holder believes may be, infringed by compliance with the proposed ISA100 Standard, are as follows:

- | | |
|---------------------------|--|
| U.S. Patent No. 5,682,476 | Distributed Control System Having Central Control Providing Operating Power to Wireless Transceiver Connected to Industrial Process Control Field Device Which Providing Redundant Wireless Access |
| U.S. Patent No. 5,793,963 | Apparatus for Providing Non-Redundant Secondary Access to Field Devices in a Distributed Control System |
| U.S. Patent No. 6,236,334 | Distributed Control System for Controlling Material Flow Having Wireless Transceiver Connected to Industrial Process Control Field Device to Provide Redundant Wireless Access |
| US2005/0049727 | Wireless Communications Within a Process Control System Using a Bus Protocol |
| US2005/0047330 | Wireless Transceiver Pair Disposed Within a Process Control System |
| US2005/0164684 | Wireless Handheld Communicator in a Process Control Environment |
| US2007/0160000 | Control System with Wireless Address Domain to Field Device Address Domain Translation |
| US2007/0160001 | Control System with Wireless Messages Containing Message Sequence Information |
| US2007/0161352 | Selective Activation of Field Devices in Low Power Wireless Mesh Networks |
| US2007/0161367 | Control of Field Device on Low Power Wireless Networks |
| US2007/0165545 | Control of Low Power Wireless Networks for Power Conservation |

The Patent Holder states that its position with respect to enforcement or licensing such patent(s) is as follows (*check one box only*):

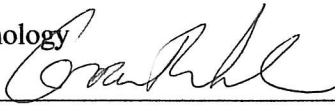
- 1. The Patent Holder will not enforce its patent so as not to impede compliance with the proposed ISA100 Standard.
- 2. The Patent Holder will grant a license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and on fair and reasonable terms and conditions, including as to royalties, if any, to allow compliance with the proposed ISA100 Standard.
- 3. The Patent Holder is currently undecided whether it will adopt position 1 or 2, above, but will declare its position to ISA by no later than the date of issuance of the first ballot on the proposed ISA100 Standard to the ISA100 Committee.

E. SIGNATURE:

The person signing below certifies that he/she is duly authorized to execute this Letter of Assurance on behalf of the Patent Holder:

Print name of authorized person: Grant Wilson

Title of authorized person: VP Technology

Signature of authorized person: 

Date: 15 MAY 2009

Note: This assurance applies from the date of the standard's approval to the date of the standard's withdrawal and is irrevocable during that period.