

The RAND commitment is crucial to safeguard the interests of all the participants in the NSM ecosystem, including existing and prospective Adopters.

If the NSM Specifications are disclosed to an entity without any RAND commitment, and the entity chooses not to become an Adopter and also realizes that it owns patents essential to the NSM specifications, there is a risk that it may seek an injunction of or unreasonable royalties from NSM Adopters. This is not an unlikely scenario, given recent developments in the industry involving standard setting and non practicing entities (patent trolls), and would be disastrous to the NSM ecosystem.

Requiring a RAND commitment in the IA protects the ecosystem participants from these risks and protects the interests of the IA's signer after it becomes an Adopter, having invested in the research and development of NSM technology.

The RAND requirement in the IA is commonly observed in today's standard setting organizations.