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February 27, 2013

VIA ELECTRONIC MAIL

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of Ex Parte Communication: Petition of TeleCommunication Systems Inc. for Declaratory Ruling and/or Rulemaking, GN Docket No. 11-117, WC Docket No. 05-196, PS Docket No. 11-153, PS Docket No. 10-255

Dear Ms. Dortch:

This is notify you pursuant to Section 1.1206 of the Commission's Rules that on February 25, 2013 Maurice Tosé, President and CEO of TeleCommunication Services, Inc. ("TCS"), Kim Robert Scovill, Senior Director-Legal Government Affairs and the undersigned met with Commissioner Mignon Clyburn and Louis Peraertz, Legal Advisor to the Commissioner to discuss the above-referenced TCS Petition for Declaratory Ruling and/or Rulemaking ("TCS Petition").

TCS' representatives explained that the Commission's adoption of 911 and E9-1-1 standards has led to the unintended consequence of spurring a number of lawsuits by Patent Assertion Entities ("PAEs") alleging that the use by wireless carriers and others of broader based business methods to comply with the FCC's mandates represents a *per se* violation of PAE patents. TCS' representatives explained that Commission action was required because these lawsuits and the lack of a consistent Commission policy has become a significant hindrance to the provision of E9-1-1—a roadblock that will only increase as NG9-1-1 services are implemented and widely deployed.

In order to address this problem TCS has urged the Commission to institute a formal rulemaking proceeding to provide guidance as to the applicability of 28 U.S.C. § 1498 in those circumstances where a wireless carrier or E9-1-1 services provider, in the course of complying with 47 C.F.R. §§ 9.5 and 20.18 in the offering of E9-1-1 services, is alleged to have infringed upon a patent and the allegation involves a claim that the infringement is based on compliance with an FCC Order, standard, or regulation regarding said E9-1-1 services. More specifically, TCS has requested that the Commission hold that in all circumstances such compliance is in furtherance and

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fulfillment of a paramount Government policy and is therefore equivalent to an action that is "by or for" the government and with the Government's permission consistent with the language of 28 U.S.C. §1498.

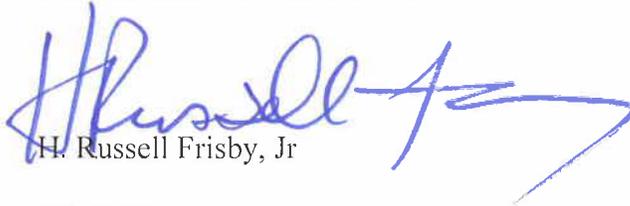
In the alternative, TCS has requested that the Commission refine and expand its current rules and provide for licensing of patents covering all 9-1-1, E9-1-1 and Next Generation 9-1-1 ("NG9-1-1") services and capabilities pursuant to reasonable and non-discriminatory ("RAND") terms consistent with previous decisions by the Commission.

The attached summary was distributed.

Please contact me if you have any questions.

Sincerely,

Stinson Morrison Hecker LLP



H. Russell Frisby, Jr

HF:SMH

cc: Hon. Mignon Clyburn
Louis Peraertz