2.D.1 Statement by the Submitter

I, Marshall C. Phelps, Jr. do hereby declare that to the best of my knowledge the practice of the algorithm, reference implementation, and mathematically optimized implementations, I have submitted, known as MARS may be covered by the following U.S. and/or foreign patents: None.

I do hereby declare that the following pending patent applications may cover the practice of my submitted algorithm, reference implementation or mathematically optimized implementations: IBM application CR998021.

I do hereby understand that my submitted algorithm may not be selected for inclusion in the Advanced Encryption Standard. I also understand and agree that after the close of the submission period, my submission may not be withdrawn from public consideration for inclusion in the Federal Information Processing Standard (FIPS) for Advanced Encryption Standard (AES). I further understand that I will not receive financial compensation from the government for my submission. I certify that, to the best of my knowledge, I have fully disclosed all patents and patent applications relating to my algorithm. I also understand that the U.S. Government may, during the course of the lifetime of the AES or during the FIPS public review process, modify the algorithm's specifications (e.g., to protect against a newly discovered vulnerability). Should my submission be selected for inclusion in the AES, I hereby agree not to place any restrictions on the use of the algorithm intending it to be available on a worldwide, non-exclusive, royalty-free basis.

I do hereby agree to provide the statements required by sections 2.D.2 and 2.D.3, below, for any patent or patent application identified to cover practice of my algorithm, reference implementation or mathematically optimized implementations and the right to use such implementations for the purposes of the AES evaluation process.

I understand that NIST will announce the selected algorithm(s) and proceed to publish the draft FIPS for public comment. If my algorithm (or the derived algorithm) is not selected for inclusion in the FIPS (including those not selected for second round of public evaluation), I understand that all rights, including use rights of the reference and mathematically optimized implementations, revert back to the submitter (and other owner[s] as appropriate). Additionally, should the U.S. Government not select my algorithm for inclusion in the AES after a period of four years from the close of the submission date for candidate algorithms, all rights revert to the submitter (and other owner[s] as appropriate).

Signed: _M.C. Phelps Jr._
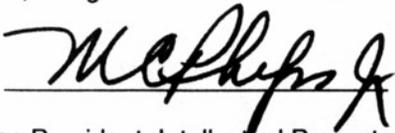
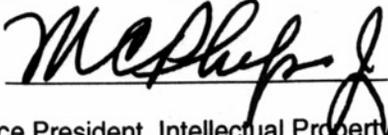Title: Vice President, Intellectual Property & Licensing

Dated: April 28, 1998

Place: Thornwood, NY

2.D.2 Statement by Patent (and Patent Application) Owner(s)

I, Marshall C. Phelps, Jr., of IBM, 500 Columbus Avenue, Thornwood, NY 10594, am the owner or authorized representative of the owner (International Business Machines Corporation) of the following patent(s) and or patent application(s): IBM application CR998021, and do hereby agree to grant to any interested party if the algorithm known as MARS , is selected for inclusion in the Advanced Encryption Standard, an irrevocable nonexclusive royalty-free license to practice the referenced algorithm, reference implementation or the mathematically optimized implementations. Furthermore, I agree to grant the same rights in

any other patent granted to me or my company which may be necessary for the practice of the referenced algorithm, reference implementation, or the mathematically optimized implementations.

Signed: _____

Title: Vice President, Intellectual Property & Licensing

Dated: April 28, 1998

Place: Thornwood, NY

2.D.3 Statement by Reference/Mathematically Optimized Implementations' Owner(s)

I, Marshall C. Phelps, Jr., am the owner or authorized representative of the owner (International Business Machines Corporation) of the submitted reference implementation and mathematically optimized implementations and hereby grant the Government and any interested party the right to use such implementations for the purposes of the AES evaluation process notwithstanding that the implementations may be copyrighted.

Signed: _____

Title: Vice President, Intellectual Property & Licensing

Dated: April 28, 1998

Place: Thornwood, NY