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8	Correction Number CP-1548	
9	Log Summary: Remove explicit mention of Bacus patent related to whole slide images	
10	Name of Standard	
11	PS3.3 2016b	
12	Rationale for Correction:	
13	When Supplement 145 added Whole Slide Images (WSI) to DICOM, there was concern that various patents might affect implementation.	
14	Text was added that specifically calls attention to one patent, though no formal legal interpretation as to the validity or applicability	
15	of that patent was available.	
16	Given that there are numerous other patents that might or might not be applicable to WSI, or any other aspect of DICOM	
17	implementation, it is inappropriate to draw specific attention to this one patent rather than any others, and it is not the intention to	
18	enumerate every conceivable patent by name, nor to stifle interest in implementing the WSI IOD in particular.	
19	There are over 15,000 hits on "DICOM" alone in a Google patent search, for instance.	
20	NEMA maintains a patent disclosure list on behalf of the DICOM Standards Committee at <a href="http://dicom.nema.org/dicom/Disclosure_List.xls">http://dicom.nema.org/dicom/</a>	
21	Disclosure_List.xls, which does not include the Bacus patent. The Bacus patent has been owned by Olympus America, Inc., PA,	
22	since Feb 19, 2009.	
23	The general disclaimer at the beginning of each Part does not specifically mention that NEMA and/or the DICOM Standards Committee	
24	takes no position concerning the evidence, validity or applicability of claimed Intellectual Property Rights, nor does it reference the	
25	patent disclosure list.	
26	Correction Wording:	

Amend DICOM PS3.3 as follows:

## 2.6 Other References

~~[US 6,272,235] Bacus JV and Bacus JW. Method and Apparatus for Creating a Virtual Microscope Slide. US Patent 6,272,235. August 7, 2004.~~

### A.32.8.1 VL Whole Slide Microscopy Image IOD Description

The VL Whole Slide Microscopy Image IOD specifies the Attributes of a multi-frame visible light whole slide microscopy image encoded as a tiled decomposition. Each frame encodes a single tile within a three-dimensional imaged volume at a uniform resolution.

#### Note

1. An entire set of tiles for an acquisition may be encoded in the frames of a single SOP Instance, in multiple SOP Instances of a single concatenation, or in multiple SOP Instances in a series (with or without concatenations). E.g., a single SOP Instance may contain an entire low resolution image as a single tile (single frame), or a single SOP Instance may contain an entire high resolution, multi-focal depth, multi-spectral acquisition (multiple frames).
2. ~~Attention is called to the possibility that conformance with the VL Whole Slide Microscopy Image Storage SOP Class utilizing this IOD may involve the use of claimed Intellectual Property Rights, among which may be US Patent 6,272,235 referenced in Section 2. The DICOM Standards Committee takes no position concerning the evidence, validity or applicability of claimed Intellectual Property Rights, whether asserted by members of the DICOM Standards Committee or others.~~

For reference DICOM PS3 disclaimer for all parts as follows:

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