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Your ref. EC Public consultation Ref HT. 1407  
Our ref.

Date 2010-06-24

European Commission  
Directorate-General for Competition  
Antitrust Registry  
B-1049 Brussels

Dear Sir or Madam,

IEC, ISO and ITU have collectively reviewed the documents listed in the European Commission public consultation on *Revised rules for the assessment of horizontal cooperation agreements under EU competition law* and in particular the standardization chapter of the draft *Guidelines on the applicability of Article 101 of the Treaty on the Functioning of the European Union to horizontal co-operation agreements* ("Guidelines").

Although the questions raised in the present consultation relate to Europe, we believe that the implications of the matters being raised do have international ramifications. It is in this context that the three leading international standardization organizations felt it useful to submit the following contribution.

ISO, IEC and the ITU, working together through the World Standards Cooperation ("WSC") banner, develop and promote the adoption of international consensus-based standards as well as a harmonized framework for the dissemination and use of technologies that support the growth of the ICTs. We collaborate closely to respond to evolutions in practices and technologies, and provide a coordinated platform from which innovations can occur in a coherent manner to avoid, inter alia, technical barriers to trade.

In support of this important international standardization work, the WSC organizations have established a common patent policy, common implementation guidelines and common patent statement and licensing declaration forms (see [www.iso.org/patents](http://www.iso.org/patents)). It is our belief that any proposed Guidelines from the European Commission should be consistent with the IPR policy, practices and approaches of the leading international standards development organizations that are responding to global market demands and are recognized as appropriate best practices by market players worldwide.

Bearing in mind the diverse and broad membership of the WSC organizations, this contribution may not necessarily represent the views of all our respective members.

We thank you for the opportunity to comment on these Guidelines.

Yours sincerely,

Aharon Amit  
IEC General Secretary & CEO

Rob Steele  
ISO Secretary-General

Hamadoun I. Touré  
ITU Secretary-General