
The Role of Patents and Standards to Implement the Digital Agenda in the Europe 2020 Strategy

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Innovation in a European Digital Single Market – The Role of Patents

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Pillars of the Digital Agenda in the Europe 2020 Strategy

- **Pillar I: Digital Single Market**
- **Pillar II: Interoperability & Standards**
- Pillar III: Trust & Security
- Pillar IV: Fast and ultra-fast Internet access
- **Pillar V: Research and innovation**
- Pillar VI: Enhancing digital literacy, skills and inclusion
- Pillar VII: ICT-enabled benefits for EU society

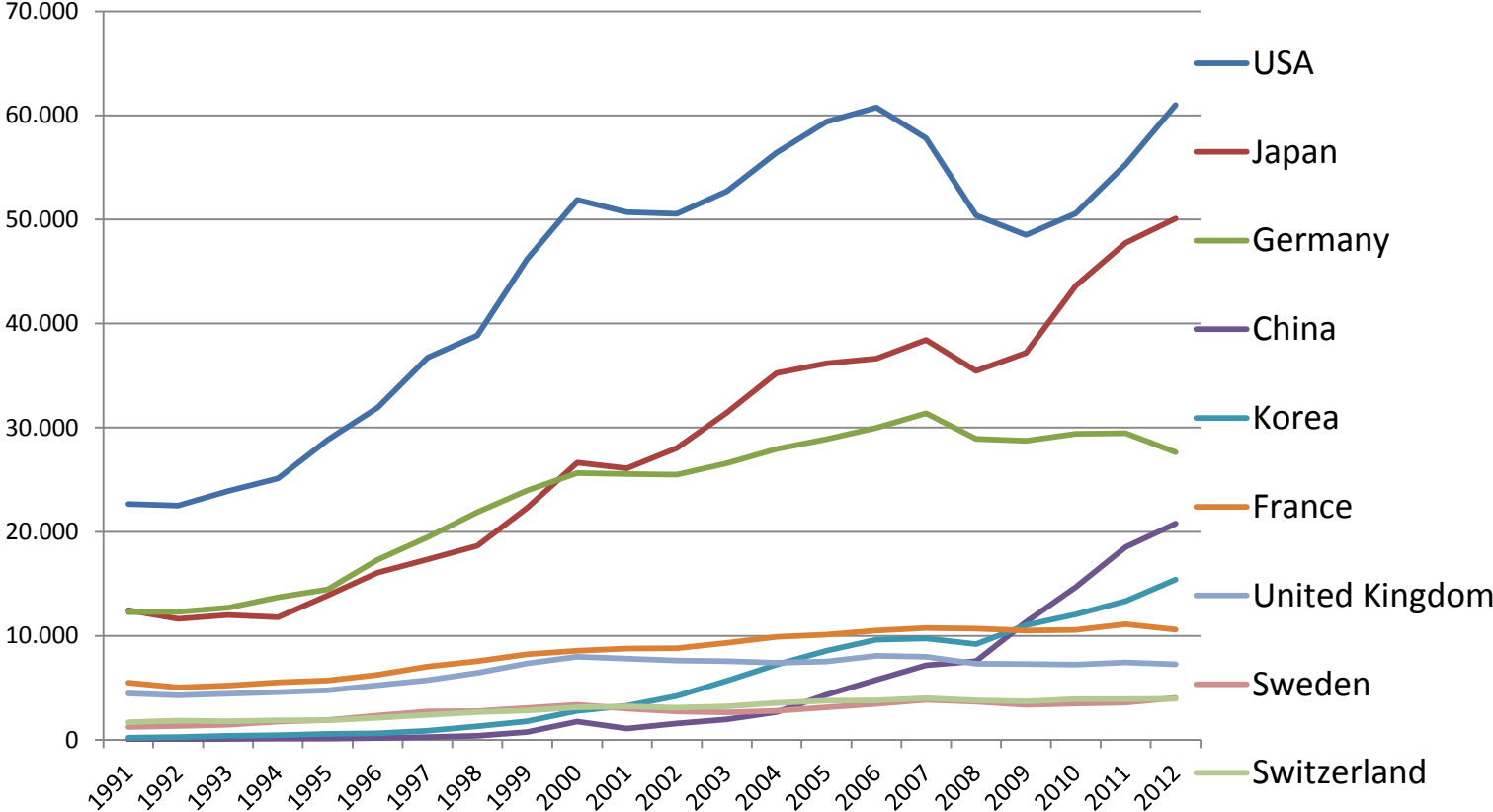


Pillar I: Digital Single Market: Achieving the digital single market

- Original objective: Single Market
- Challenges: Technical Barriers to Trade (TBTs)
- Solution: New Approach
- New objective: Digital Single Market
- Challenges: Legal barriers for trading services and ideas
- Solutions:
 - Expansion of the New Approach to Services
 - Unitary Patent
 - Community Trademark
 - Harmonisation of Copyright



Challenge I: Development of numbers in transnational patent applications over time for selected countries



Source: EPA (PATSTAT), calculations by Fraunhofer ISI, in E-FI 2015

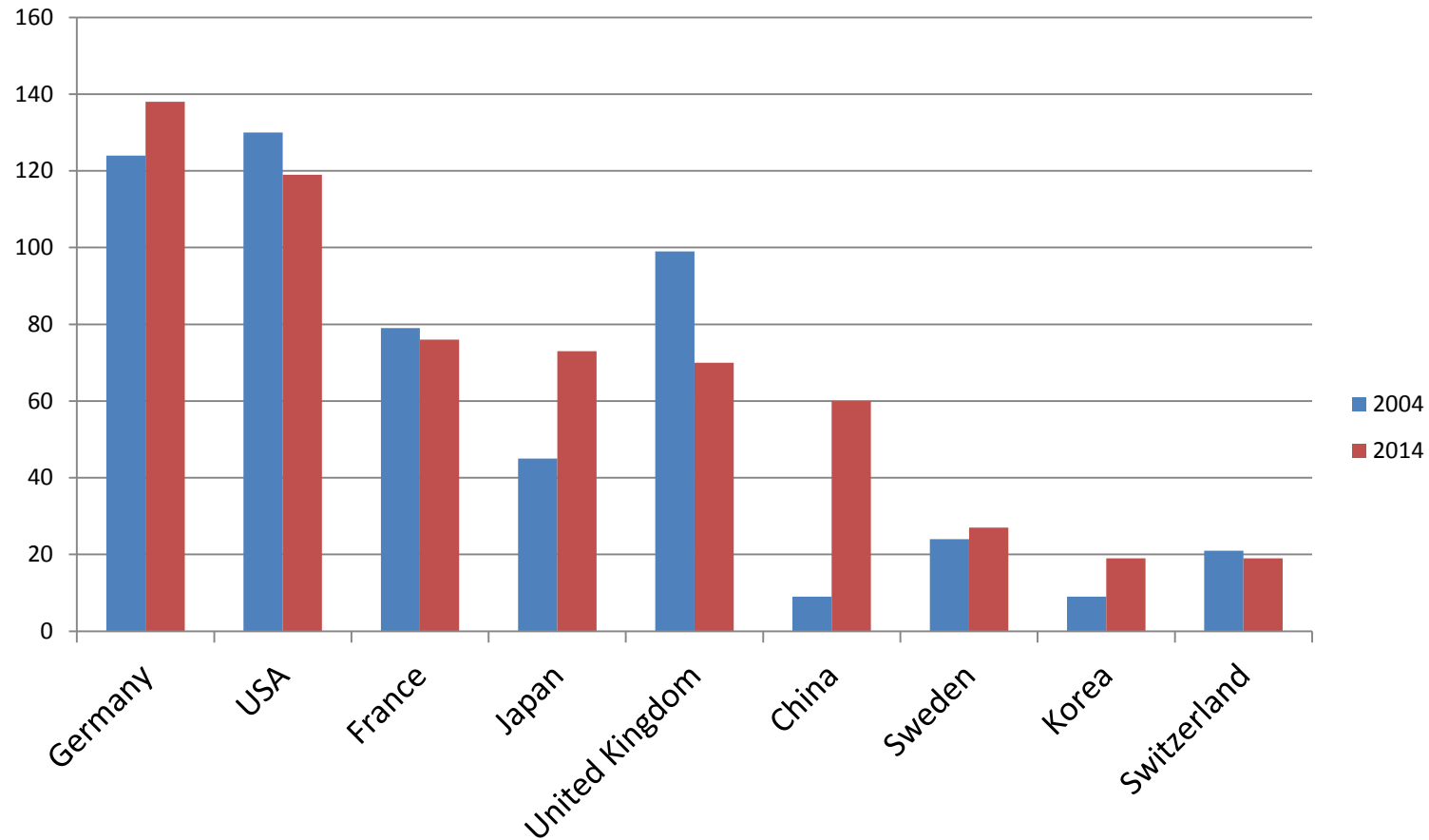


Pillar II: Interoperability & Standards: Enhancing interoperability and standards

- EU standards to enhance the interoperability of devices, applications, data repositories, services and networks
- Challenges: Speed, stakeholder involvement and IPRs.
- Solutions:
 - new products, like CWAs
 - use of social media to speed up process and involve more stakeholders
 - implementation of FRAND to integrate IPRs



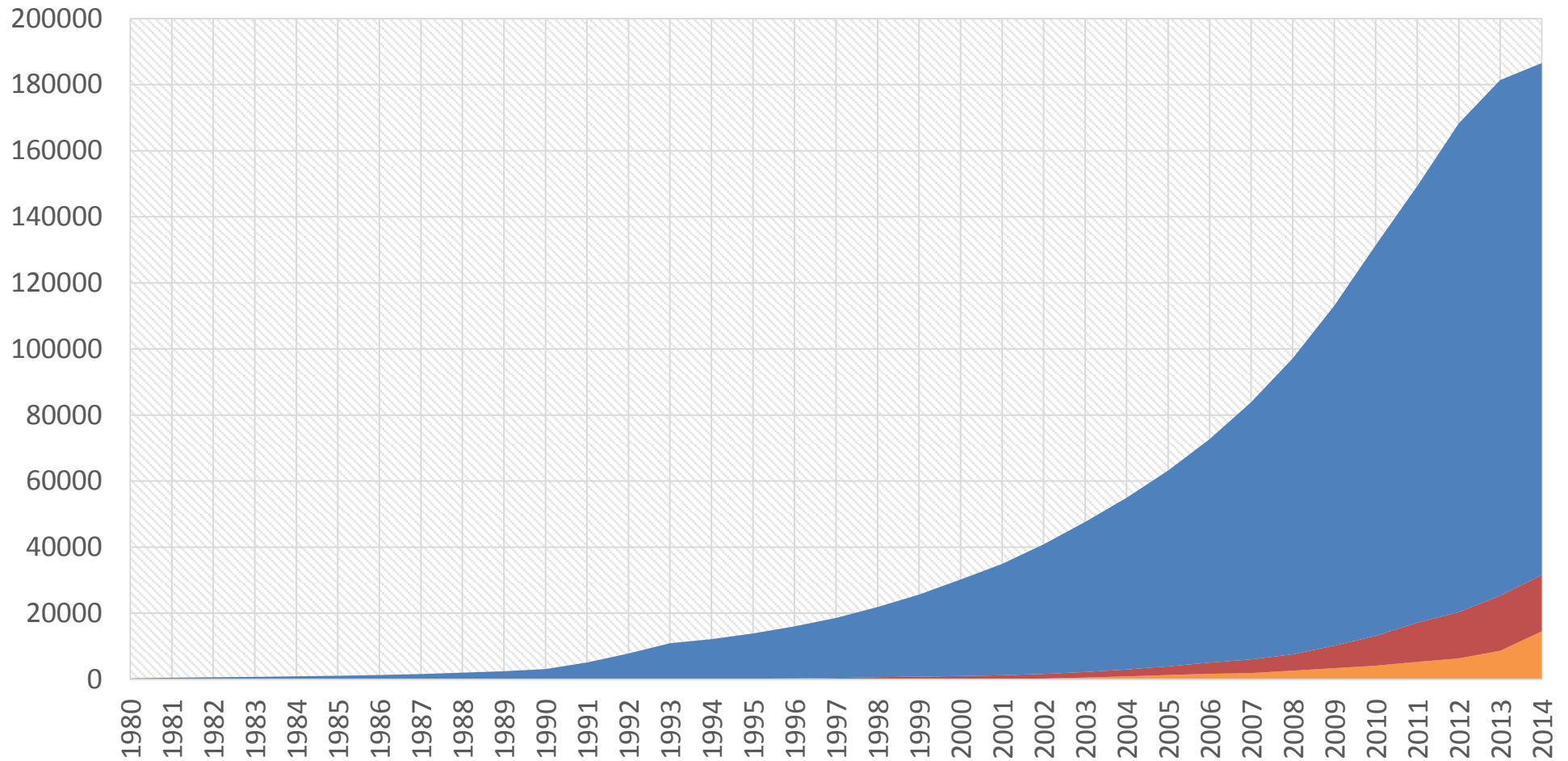
Challenge II: Number of assigned secretariats for technical committees of the International Organization for Standardization (ISO)



Source: ISO, compilation of E-FI 2015



Challenge III: Cumulative Number of Active, Lapsed or Expired Standard Essential Patents (SEP) Declarations



■ Lapsed cumul

■ Expired cumul

■ Active cumul

Source: IPlytics 2015



Pillar V: Research and innovation: Investing in research and innovation

- Challenge: Innovation gap in relation to US, JP etc. especially in ICT
- Solution: 7 Research Framework Programs
- Further challenge: Insufficient implementation of research results including missing link between research, innovation and standardization
- New Solution: Common Research and Innovation Program Horizon 2020 including the implementation of the Integrated Approach

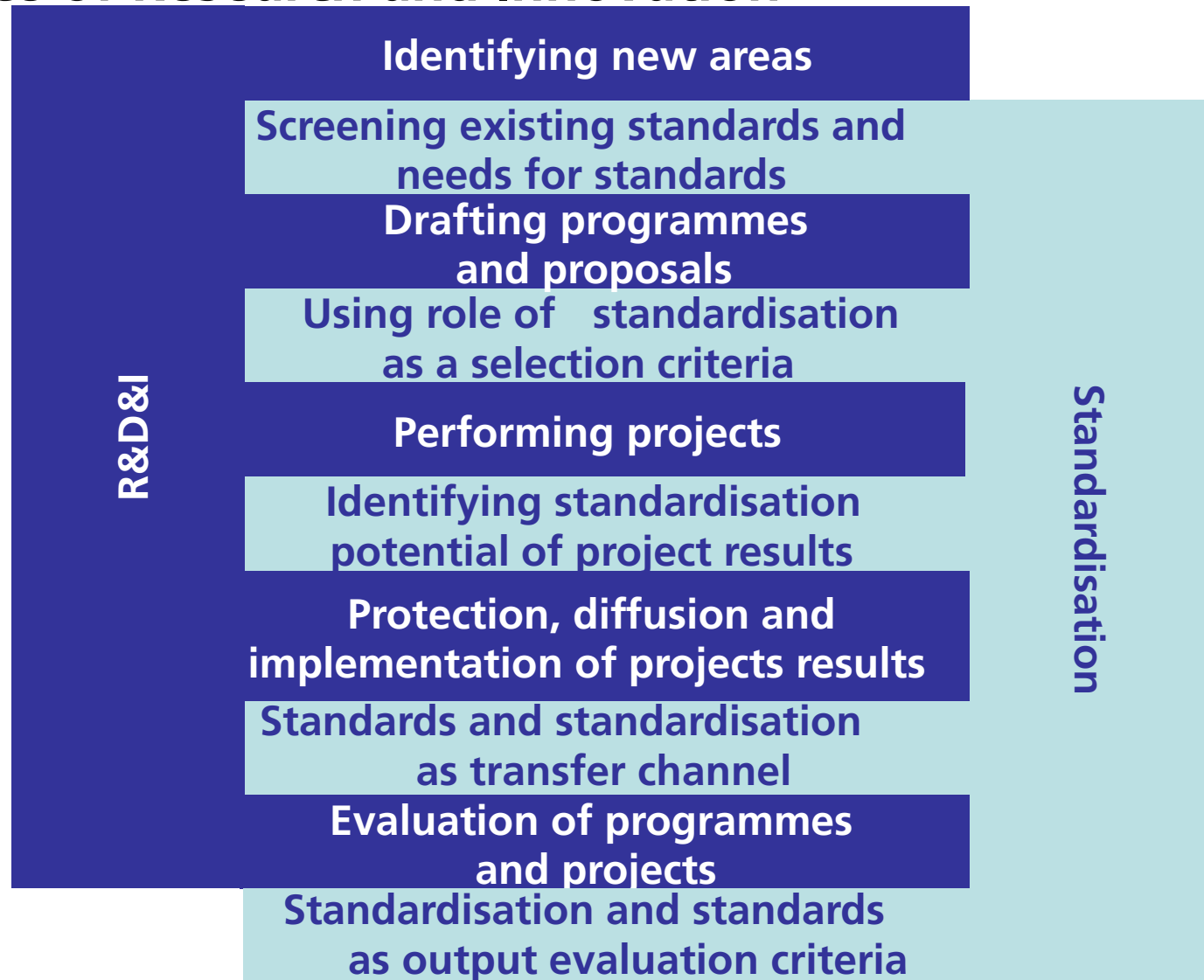


Various roles of Standards in the Research and Innovation Process



Source: Blind and Gauch 2009

The Integrated Approach: Standardisation at the Service of Research and Innovation



Source: CEN CENELEC STAIR 2010



Conclusion

- Isolated actions within the 7 Pillars of the Digital Agenda are neither effective nor efficient
- Comprehensive approach needed to
 - cover the whole research and innovation cycle including the implementation of standards
 - coordinate the various IPRs, e.g. patents vs. Open Source
 - find a balance between IPR owners' and users' interests



Thank you for your attention!

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