



ITU Roundtable, October 2012

High-level ITU talks address rampant patent litigation - Innovation-stifling use of intellectual property to be tackled

Dr Hamadoun Touré, ITU Secretary-General:
"We are seeing an unwelcome trend in today's marketplace to use standards-essential patents to block markets. There needs to be an urgent review of this situation: patents are meant to encourage innovation, not stifle it."

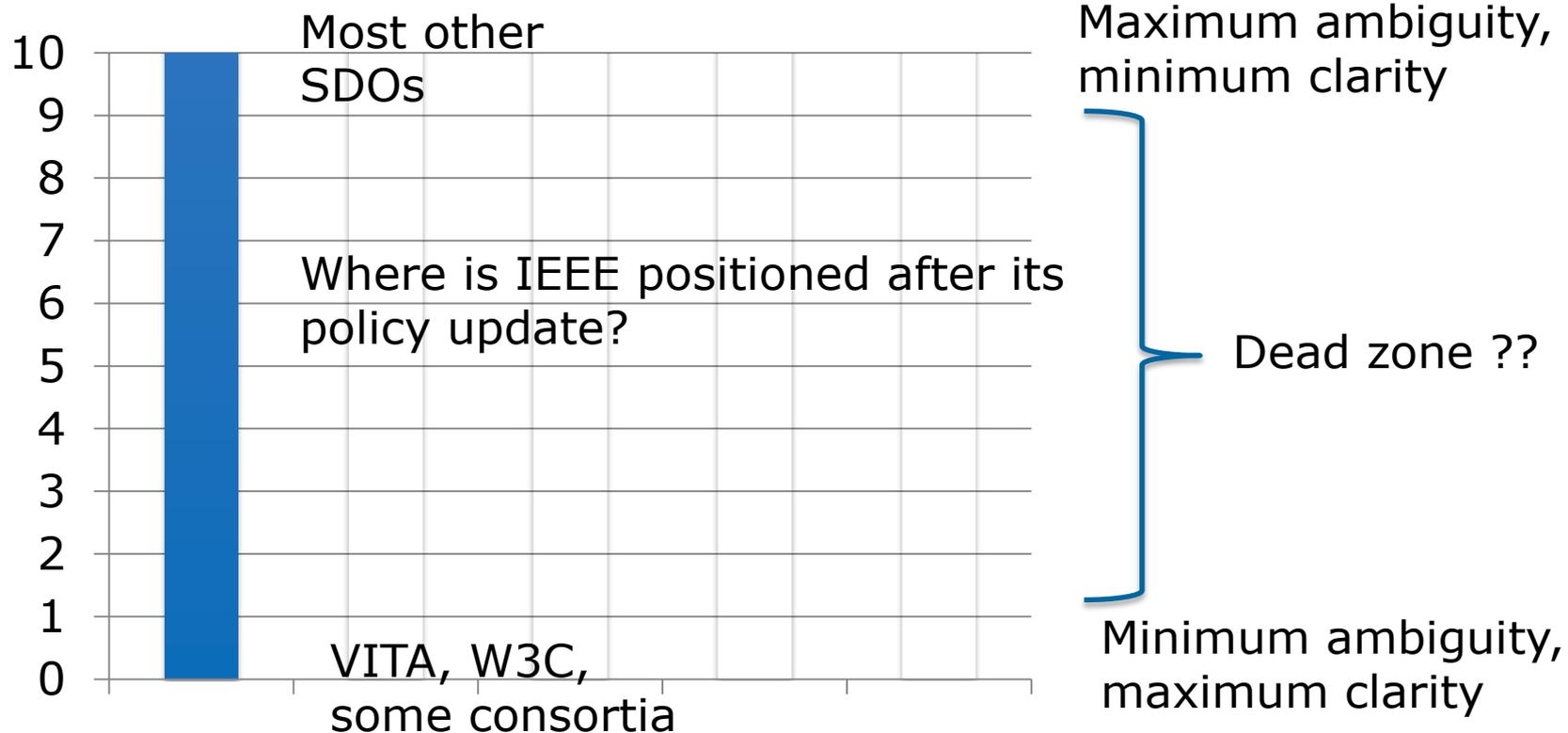
Joint EC-EPO Conference Brussels, November 2010

- › **Tensions between Intellectual Property Rights and the ICT standardisation process: reasons and remedies**
- › Key ICT standards are perceived by many as critical technology platforms with a strong public interest dimension. However, concerns are voiced that Intellectual Property Rights (IPRs) and their exclusivity potential, may hinder or prevent standardisation. The European Commission and the European Patent Office (EPO) are organising a conference to address some specific issues on patents and ICT standards: are today's IPR features still compatible with fast moving markets and the very complex requirements of ICT standardisation in a global knowledge economy environment? Where are problems that we can we fix?

My closing statement

- ▶ **More transparency and clarity at the interface between the patent system and the standardization system would be necessary in order to keep them stable and to guarantee an open standardization ecosystem in the mid and long term.**

The ambiguity scale of (F)RAND



EC's Vice President for Competition Policy

- ▶ **“There is a growing consensus on both sides of the Atlantic on the damage that the misuse of standard-essential patents can do to competition”**
- ▶ the European Commission receipt of **“many complaints related to standards-essential patents also shows that there is a great need for guidance.”**

IEEE's RAND mandatory guidance

- ▶ ***"appropriate compensation to the patent holder for the practice of an Essential Patent Claim excluding the value, if any, resulting from the inclusion of that Essential Patent Claim's technology in the IEEE Standard".***