

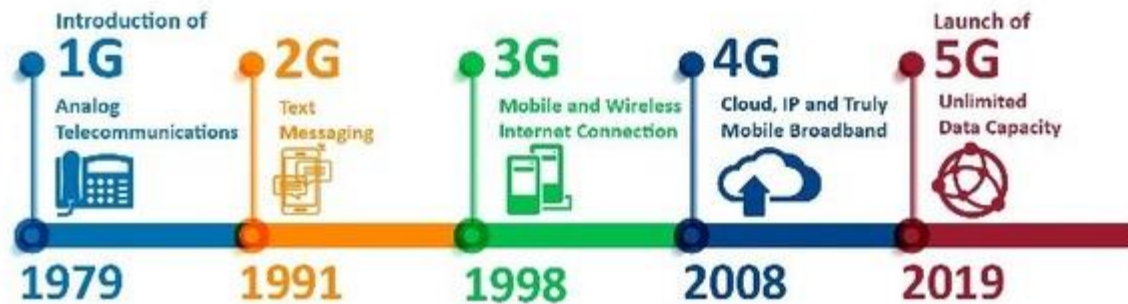
Introductory remarks

Prof. Nicolas Petit

Twitter: @CompetitionProf

Wireless communications standards

The Evolution of 5G

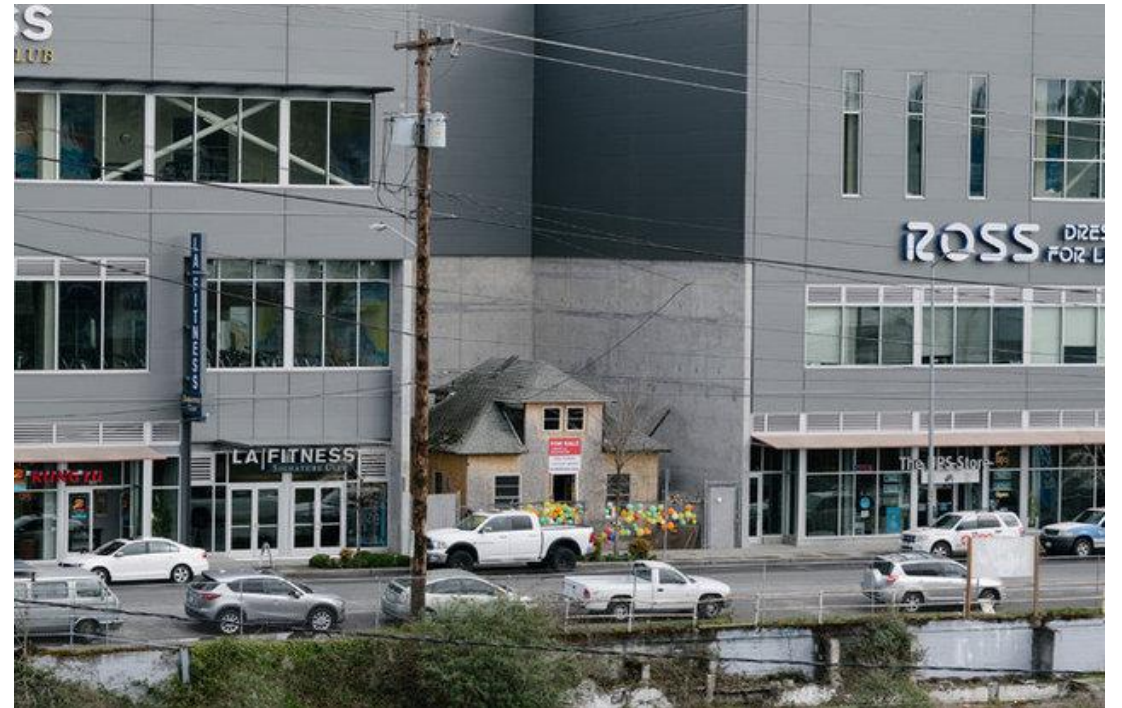


Private interest of SEP *holders* and *implementers* v *social interest* of widespread standard adoption?

Holdup



Holdout



FRAND

ETSI patent policy

- Disclosure
- Undertaking whereby submitting firm is “*prepared to grant irrevocable licences on fair, reasonable and non-discriminatory (‘FRAND’) terms and conditions ...*”

Legal & Policy discussion

- EC Samsung and Motorola decisions, 2014
- CJEU, *Huawei v ZTE*, 2015
- IEEE revised patent policy, 2015
- UK, *Unwired Planet International Ltd v. Huawei Technologies Co. Ltd*, 2017
- EC Communication, 2017
- *FTC v Qualcomm*, 2019
- ...

Issues

Past

- Injunction?
- Royalty level?
- Portfolio licensing?
- « *Good faith* »?
- Tying of/refusal to supply chipsets?

IoT

- Device level v component level licensing?
- Discrimination (ND)?
- Patent pools?

Our panel

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