

EN
E-009315/2015
Answer given by Ms Bieńkowska
on behalf of the Commission
(8.10.2015)

Regulation (EU) No 1025/2012 on European standardisation establishes the overarching policy and legal framework for European Standardisation Organisations (ESO) and National standardisation bodies to respect transparency of standards and inclusiveness of standardisation processes. It also asks ESOs to encourage and facilitate participation of companies, universities, research centres in standardisation activities funded by the Union's research and innovation programmes.

Within the EU Framework Programme for Research and Innovation "Horizon 2020" the Commission is also earmarking funding to contribute to standardisation activities, in particular in the ICT sector.

As indicated in the Communication "A Digital Single Market Strategy for Europe"¹, the Commission advocates the need for a balanced framework for negotiations between right holders and implementers of Standard Essential Patents (SEPs) to ensure fair licensing conditions.

The Commission published a study on SEPs-related issues in 2013. Following the study, a public consultation was launched in 2014. The final report of the public consultation will be published in the coming weeks. In addition, other specific studies are ongoing, aiming at scoping potential problems and solutions in the ICT sector as well. The Commission shall also take into account the jurisdiction of the Court of Justice of the EU including Case C-170/13 – Huawei of 16 July 2015 which it is still analysing. All these elements will provide the basis for the Commission to decide whether potential further action is necessary.

¹ COM(2015) 192