

Question for written answer E-004879/2017
to the Commission
Rule 130
Michał Boni (PPE)

Subject: Standard Essential Patents (SEPs) - conditions

As part of the European Digital Single Market initiative, the Commission has acknowledged the importance of promoting a balanced licensing system for Standard Essential Patents (SEPs) which ensures fair access for all market players. Commissioner Vestager has also emphasised that the owners of SEPs must commit to licensing them to all third parties on fair, reasonable and non-discriminatory terms.

In view of Qualcomm's licensing practices being currently subject to lawsuits in the US brought by the Federal Trade Commission (FTC) and Apple, the merger review by the Commission's DG COMP concerning the potential acquisition of NXP Semiconductors by Qualcomm, and the decision of April 2017 in the dispute between the licensor Unwired Planet and Huawei, in which the High Court sitting in London ruled that Unwired Planet would be entitled to injunctive relief in the UK should Huawei not now agree to a global FRAND-based licensing deal. as well as other similar cases, can the Commission state what concrete steps it has taken to ensure that anti-competitive licensing practices do not harm the European market?

Since guaranteed non-discriminatory access to SEPs is crucial for the growth of IoT and connected cars in Europe, can the Commission explain how it responds to any acquisitions of SEP licensing practices?