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English version

## Principles and guidance for licensing Standard Essential Patents in 5G and the Internet of Things (IoT), including the Industrial Internet

This CEN/CENELEC Workshop Agreement has been drafted and approved by a Workshop of representatives of interested parties, the constitution of which is indicated in the foreword of this Workshop Agreement.

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## European foreword

CWA 17431:2019 was developed in accordance with CEN-CENELEC Guide 29 “CEN/CENELEC Workshop Agreements” and with the relevant provisions of CEN/CENELEC Internal Regulations - Part 2.

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This Workshop Agreement, including its Annexes (CWA) has been drafted and approved by a Workshop of representatives of interested parties, the constitution of which was supported by CEN and CENELEC following a public call for participation. The Workshop's Kick-Off meeting took place on 2017-10-06.

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Public consultation for this CWA started on 2018-10-10 and ended on 2018-12-31.

The final text of this CWA was submitted to CEN for publication on 2019-05-22.

Below is a list of companies/organizations that developed and approved this CWA:

- Cuirassier
- Dolby Laboratories Inc.
- EnergySquare
- Ericsson
- Fractus
- France Brevets
- IKUSI (VELATIA)
- InterDigital
- KNOWENCE
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## Introduction

Following on from the wave of technology that saw the widespread adoption of smartphones and tablets, we are now riding a new wave of technology which some call a fourth industrial revolution. This new wave is based, among other things, on the spread of the Internet of Things (IoT) where products beyond smartphones and tablets rely on a connection to the internet that will use mobile communications technology such as 5G.

As companies with experience in licensing Standard Essential Patents (SEPs) - as SEP owners and as users of standards - we want to play our part to help new participants in SEP licensing feel more confident negotiating the licences that they may require. To do this we formed a Workshop under the auspices of CEN and CENELEC which has resulted in this CEN/CENELEC Workshop Agreement (CWA), "Principles and Guidance for Licensing Standard Essential Patents in 5G and the Internet of Things (IoT)". This document has been developed and approved by consensus of the organisations responsible for its content.

It has two main elements. The first is a set of Principles and Guidance which draws on our combined experience of SEP licensing for Information and Communication Technologies (ICT)<sup>1</sup> standards. Licensing is a complex and evolving area and the development of new IoT products and services may bring new approaches and practices. We have therefore identified broad principles which should form a solid foundation for future practice.

The second element is a set of Questions and Answers. These are addressed mainly to those who are new to the implementation and use of standardised technology and the licensing of patents that cover those technologies. As with other Q&A documents, it is only intended to be informative and does not cover every situation.

This document ends by looking forward to SEP licensing in 5G and the IoT.

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<sup>1</sup> ICT standards here include mobile communication standards, other wireless communication standards such as Wi-Fi, and video and audio compression standards.