

ICT Standards and Intellectual Property Rights Workshop

Session 3: *Standards-setting bodies' Perspectives on Standards and IPR Issues* *ISO/IEC Experience*

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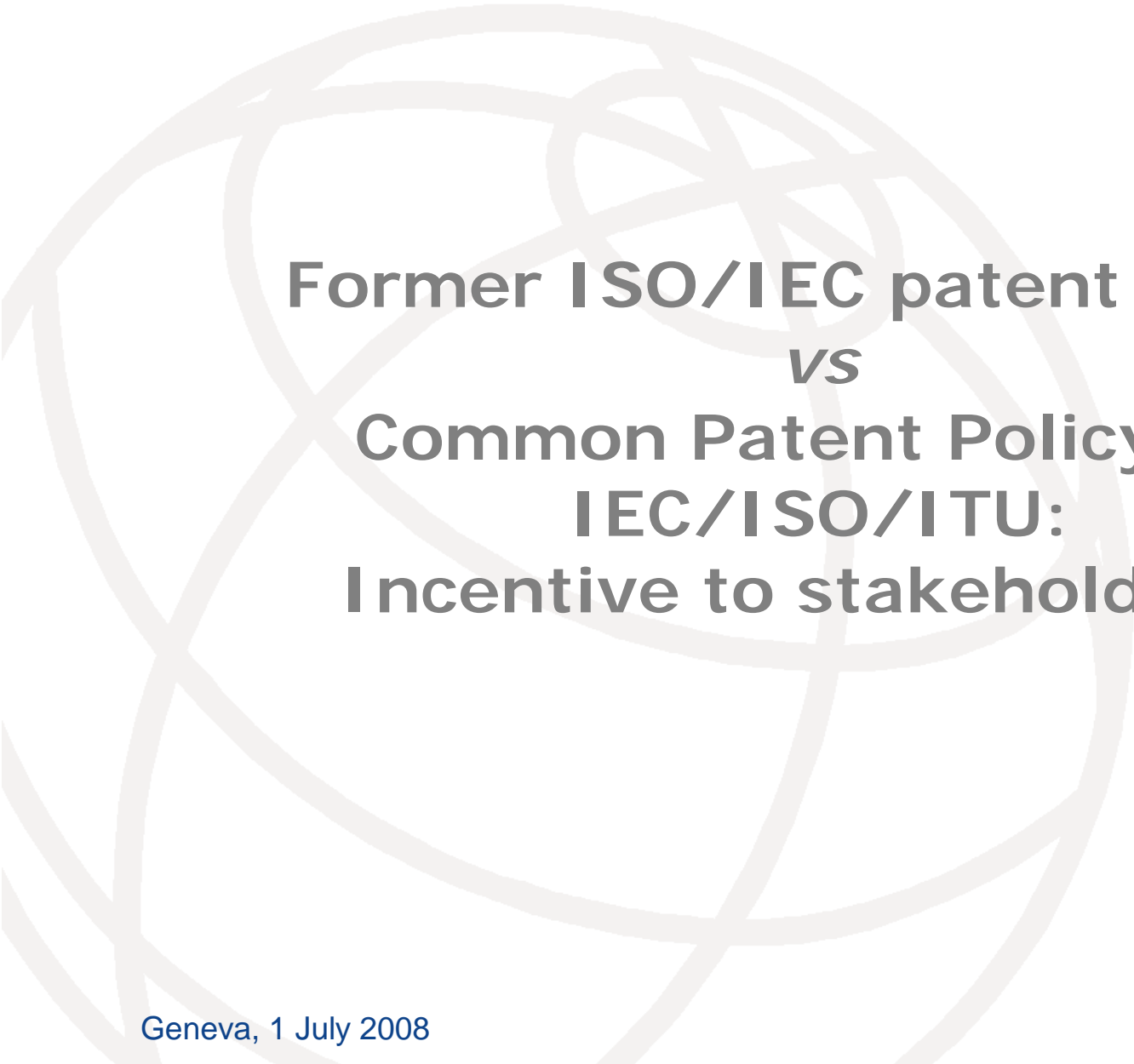
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ICT standardization from ISO/IEC perspective

- Globalization of trade in products and services
- New emerging economies and regulatory reforms
- Constant deployment of new technologies and innovation; intense competitive/patent activity
- Demand for standards with state-of-the-art technology
- Efficient and fair means for disseminating new technologies worldwide; Interoperability
- Good regulatory practices and reference to standards
- Public demand for consumer and environmental protection

ISO/IEC, ICT standardization and IPRs

- ICT standardization activity across several TCs
- ISO: mainly JTC1; IEC: 3-4 TCs
- 90% of patent declarations with ISO and IEC relate to ICT technology

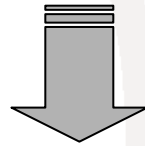


**Former ISO/IEC patent policy
vs
Common Patent Policy for
IEC/ISO/ITU:
Incentive to stakeholders?**

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What has not (really) changed?

- Technology in publications must be available to users without *undue constraints*
- Respect Intellectual Property Rights (IPR) of owners



RAND (free of charge)

Negotiations are left to the parties concerned and are performed outside ISO/IEC

- IEC, ISO (and ITU) do not provide information about evidence, validity or scope of patents or similar rights
- Patent searches not required

What has been improved?

- Existing concepts further clarified (e.g. patents, patent holder, etc.)
- Recognition of *reciprocity*
- Disclosure process more detailed
- *Patent Form*

What may still be needed?

- Encourage further patent identification
- Improve patent database
- Promote use of alternative dispute resolution
- Adapt to new tendencies as permitted by the legal environment and responding to market needs

ISO/IEC standards...

- ... are state-of-the-art technology and legislators/governments should be encouraged to refer to them;
- ... can assist patent offices in improving patent quality;
- ... are effective vehicles for the transfer of technology and may be part of a successful business model for technology owners.



Multi-discipline and cross sector

<http://www.iso.org/patents>



For electrotechnology

<http://www.iec.ch/tctools/patent-guidelines.htm>

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