

Government of India
Ministry of Commerce & Industry
Department of Industrial Policy and Promotion

Udyog Bhawan
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PRESS RELEASE

Discussion Paper on Standard Essential Patents and their Availability at FRAND terms

With an increasing pervasiveness of standardized technology in virtually all sectors, and particularly telecommunications, in India and worldwide, issues associated with SEPs are increasingly being agitated. India is currently the world's second-largest telecommunications market and has registered strong growth in the past decade. However, Indian jurisprudence on FRAND licensing practices for SEPs is at a relatively nascent stage. With this background, The Department of Industrial Policy and Promotion has prepared a "Discussion paper on Standard Essential Patents and their availability on FRAND terms".

2. Standards, while supporting compatibility and interoperability, fuel development and implementation of technologies that impact and transform the way people live, work and communicate. In recent past, various issues pertaining to SEPs have come up, most of which relates to licensing of SEPs on FRAND terms. This Discussion paper is a step towards resolving all such issues. This Discussion paper deliberates upon all relevant aspects related to Standard Essential Patents in detail. Issues for resolutions are formulated on the basis of inputs received from various stakeholders and should in no way be construed as representing the views of Department of Industrial Policy and Promotion.

3. Department believes that discussion on the subject will assist the government to develop a suitable policy framework which aids the growth in telecom sector in India and worldwide which will benefit the ultimate users of technology.

4. The Paper is available at website of Department of Industrial policy and Promotion (www.dipp.nic.in). Any views or suggestion on same may be e-mailed to kapoor.sumit@gov.in by 31st March, 2016.
