



WORKSHOP

SEPs: PATENTS AND ANTITRUST ISSUES IN THE HIGH – TECH WORLD

The Centre for Innovation, Intellectual Property, and Competition (CIIPC) at National Law University, Delhi, is pleased to announce that Prof. Jay Kesan and Dr Kirti Gupta will be conducting a one-day workshop on Standard Essential Patents: Patents and Antitrust Issues in the High - Tech World, on **26th August, 2017 (Saturday) from 10:30 a.m. - 4:00 p.m.** The venue for the workshop is **India Habitat Centre, Lodhi Road, New Delhi- 110003.**

About the workshop

CIIPC is committed to furthering the academic dialogue surrounding innovation, intellectual property, and competition law, with a view towards shaping the legal and policy landscape in these areas. A major part of this endeavor is to provide a platform for discussion of contemporary issues using the law & economics approach.

Network effects are an important characteristic of dynamic markets: one that may raise antitrust concerns when the network is tied to patents rights. A prime example of such a scenario is the Information and Communications (ICT) industry, where firms contributing their patents to a particular standard in member driven standard-setting organizations (SSOs) voluntarily stipulate a particular technology as the required standard to operate on the network. In brief, the theory is that antitrust concerns may arise when the stipulated technology is patent protected, as any potential developer of multi-component product will require access to these “essential” patents corresponding to the standard in order to operate in the market. Whether or not exercise of reasonable patents rights in the context of SEPs causes ‘competitive harm’ is deeply contested.

Nevertheless, in order to limit the entry barriers that emerge in such a scenario, most SSOs require participants to agree to license all essential patents on fair, reasonable and non-discriminatory terms (FRAND). Despite this, the practical reality of licensing on FRAND terms are highly contentious, as is evidenced by the multitude of litigation surrounding the issue in India and abroad.

In this context, the workshop is intended to highlight the broader interface of IP and competition law- specifically pertaining to licensing of patents, economic theory underlying standard essential patents, contestation and empirical evidence in the standard essential patent discourse, understanding FRAND, and the relationship between standard essential patents and antitrust law.



Prof. Jay Kesan is a Workman Research Scholar and the Director of the Program in Intellectual Property and Technology Law at the University of Illinois at Urbana-Champaign. His Academic interests include technology, law, and business; and his recent work has been focused mainly on patent law policy. Prof. Kesan has served as one of the inaugural Thomas A Edison Scholars at the U.S. Patent and Trademark Office (USPTO), and has been actively involved in every aspect of patent litigation, apart from being an inventor and patentee himself.

Dr Kirti Gupta is the Director of Economic Strategy at Qualcomm Inc. With fifteen years of practice as an engineer and an economist at Qualcomm, she has extensive knowledge of the mobile wireless and high-tech industry, and expertise in applied microeconomics and econometrics. She manages and leads the substantive direction of global intellectual property and antitrust policy and outreach and is actively involved in international antitrust and litigation matters. Having published and presented her work extensively, Dr Kirti Gupta has also represented Qualcomm in various global technology standards bodies. She currently holds ten US patents and has several pending patent application.



Who can apply?

This workshop is open for early professionals and academics working in the areas of intellectual property and/or competition law. a limited number of seats are available also for law students who have demonstrable interest in the areas of intellectual property/ competition law.

Interested candidates must send in an email application, along with their CV, to **events-ciipc@nludelhi.ac.in** on or before **20th August 2017**. Selected candidates will be informed by 24th August, 2017.

There is no registration fee for selected candidates. CIIPC will not be responsible for reimbursing any expenses incurred by the candidates.