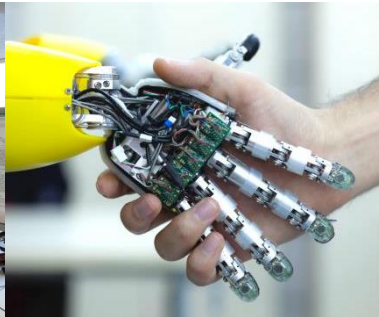




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# Patents and standards in the Internet of Things

*The EPO's unique approach to "Patents and Standards"*

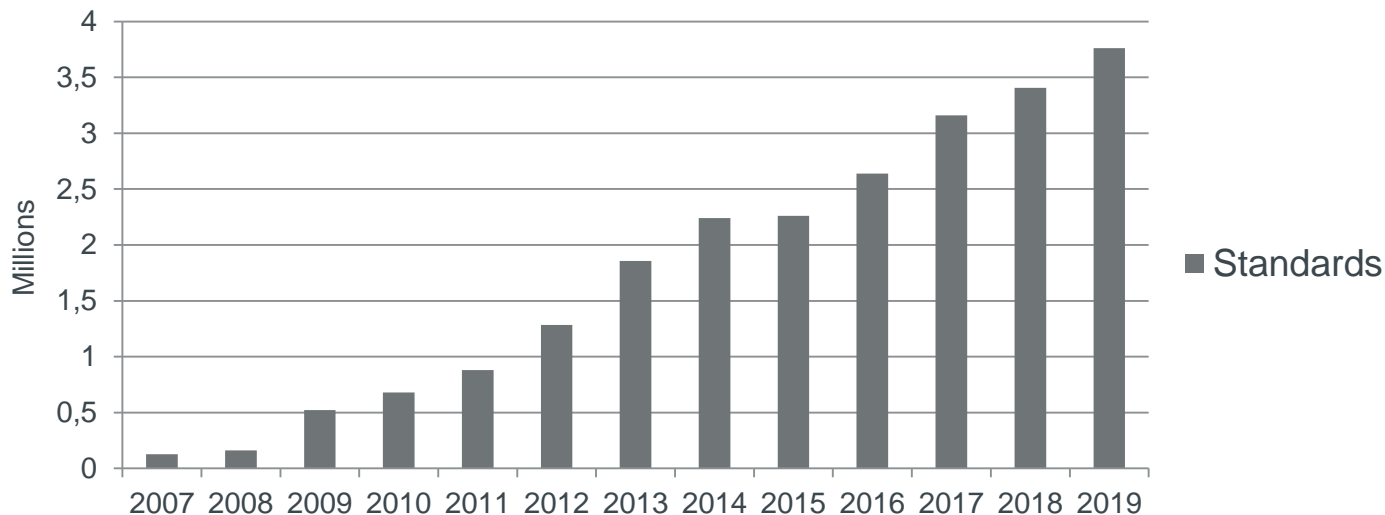


# Standard Essential Patents and 4<sup>th</sup> Ind. Revolution

- EPO has a well-established practice (over 15 years) in the use of standards documentation as prior art in the patent granting procedure
  - Optimises patent quality; thereby reducing costly litigation
  - Increases transparency
- Standards documents include final standards, but also technical contributions to standards development, draft specifications, or minutes and meeting reports.
  - In principle, these types of documents form part of the state of the art under Article 54 (2) EPC, unless there are specific confidentiality obligations or participation is restricted to a very small number of members only.<sup>4</sup>
- Longstanding relationship with ETSI<sup>1</sup> since 2003 resulting in the development of best practices; Further SDOs include: ITU-T, IEC, IEEE-SA, IETF, W3C, DVB Project, BSI, etc.<sup>3</sup>
- EPO incorporates standards-related documentation in its internal databases and further expands documentation as new areas of technology develop, in particular IoT.

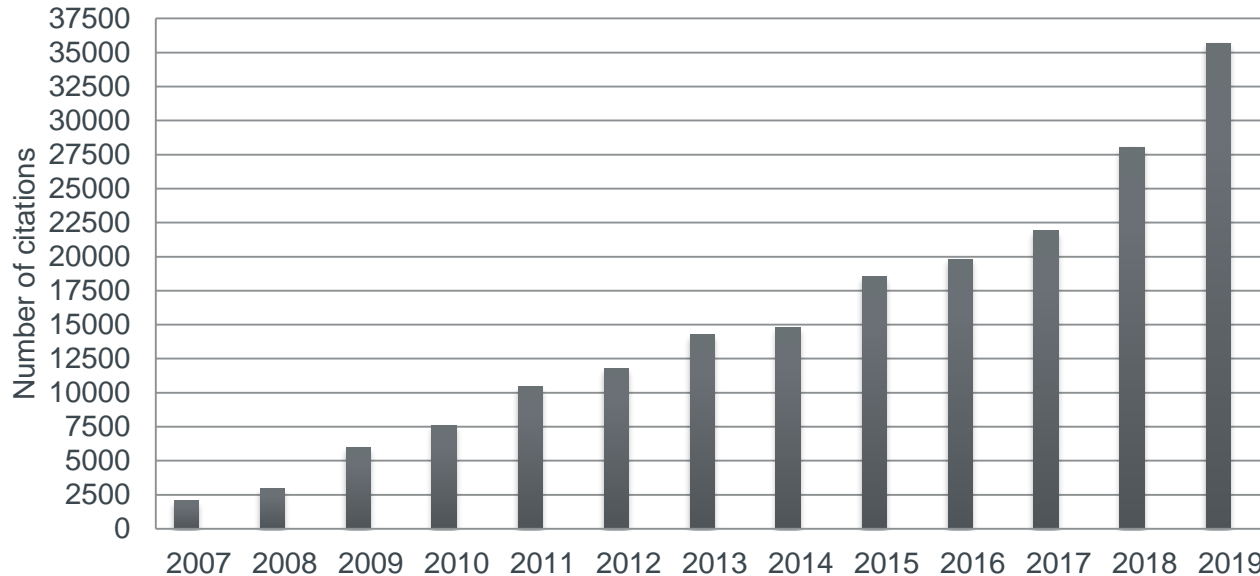
<sup>4</sup> See Guidelines for Examination at the European Patent Office, GL B-VI, 5.6; GL G-IV, 7.6 (available at: <https://www.epo.org/law-practice/legal-texts/guidelines.html>)

# Number of standard documents available to EPO patent examiners



- Over 3.7 million standards-related documents incorporated in internal EPO databases are available to the EPO patent examiners who are trained to use them for prior art searches.

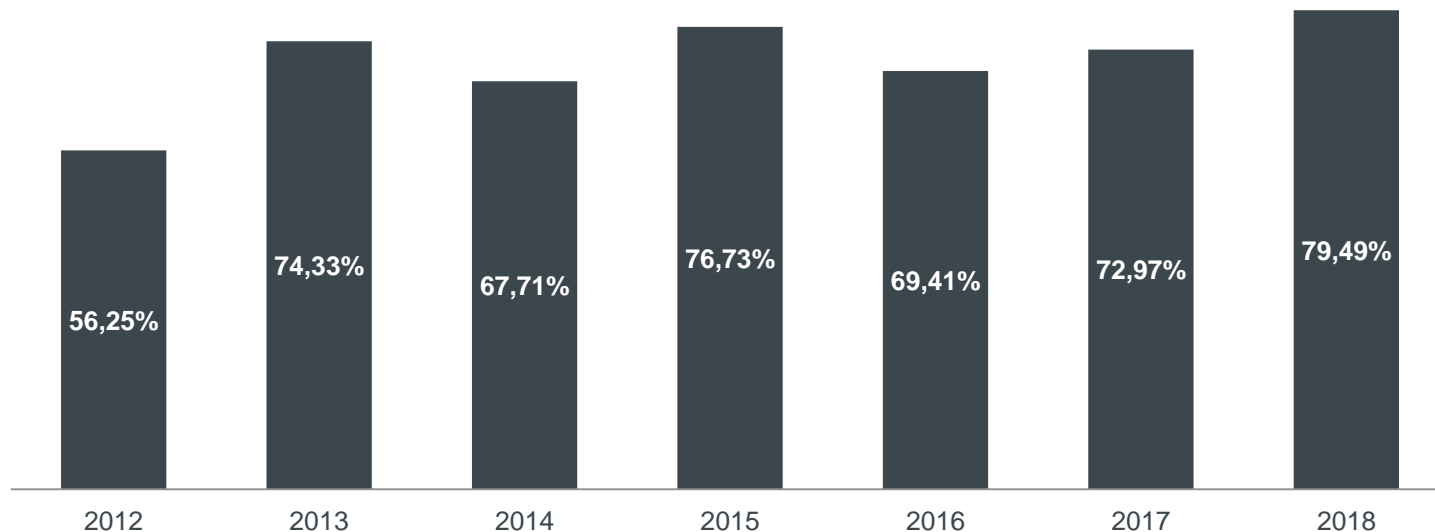
# Number of standards citations in EPO search reports



- Nearly 36 000 standards documents were cited as prior art in 2018, a further increase of 27% over 2017; which already had a 22% increase over 2016.
- It is believed that this is due to 5G developments at ETSI and 3GPP.

## Citation of Standards Documents

### % of H04N19 (video compression) Search Reports with SDO citations



Up to 60% of search reports in key technical fields (e.g. Wireless technology, Digital Video Coding and Compression) contain standards documents relevant to the patent examination.

# Link between ETSI IPR Database and EPO's Espacenet

- Click on patent number in ETSI IPR Database opens appropriate patent record directly in EPO's patent information services.
- Enabling access to patent documents, legal status, patent family information, file wrapper, etc. for up to 100 million patent documents from around 100 countries.
- ETSI downloads from EPO information on SEP patent families.

The image shows a screenshot of the ETSI IPR Database interface on the left and the EPO's Espacenet interface on the right. A red arrow points from the ETSI record to the Espacenet record.

**ETSI IPR Database (Left):**

Patent Family **i**

**External ID :**

| Application Number     | Publication Number  | Title  |
|------------------------|---|--|
| Basis Patent           |   |  |
| <b>US20060582663</b>   | <b>US7801019 B2</b><br><b>US2007036069 A1</b>               | Adaptive time diversity                        |
| Other Members <b>i</b> |   |  |
| CA20012351140          | <a href="#">CA2351140 C</a><br><a href="#">CA2351140 A1</a> | ADAPTIVE TIME DIVERSIT                         |
| CA20012355433          | <a href="#">CA2355433 A1</a>                                | PREAMBLE DESIGN FOR M<br>DIVISION MULTIPLEXING |
| CA20012762114          | <a href="#">CA2762114 C</a><br><a href="#">CA2762114 A1</a> | ADAPTIVE TIME DIVERSIT                         |
| CA20012762238          | <a href="#">CA2762238 C</a>                                 | ADAPTIVE TIME DIVERSIT                         |

**EPO's Espacenet (Right):**

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**Inventor(s):** WU SHIQUAN [CA]; TONG WEN [CA]; ST

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Thank you for your attention!

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