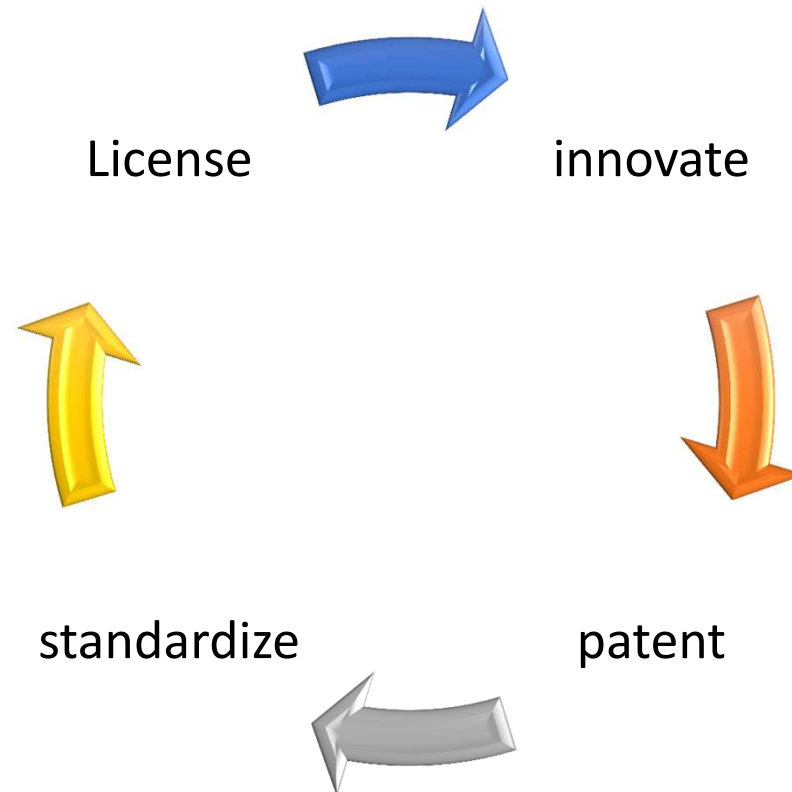


Dispute Resolution Mechanisms and ICT Standardization

Antoine Dore
Senior Legal Officer
International Telecommunication Union

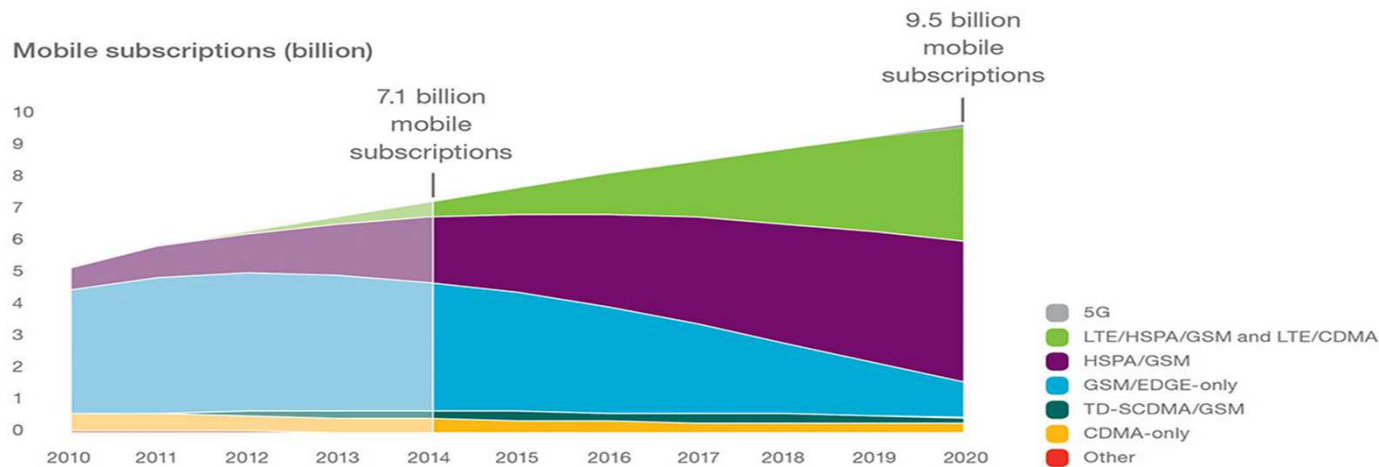
University of Geneva - 18 June 2015

The virtuous cycle



Uptake in Mobile Communications

- 7.1 billion mobile subscriptions at end of 2014
 - More than 50% in APAC (3.47 B); then Africa (880 M) and LATAM (720 M)
 - No. of mobile subscriptions = world's population, but digital divide still exists as no. of subscribers (4.6 B) is lower than no. of subscriptions (7.1 B)
- 9.5 billion mobile subscriptions by 2020
- 90% of world pop. over 6 years old will have mobile phone by 2020
- Global mobile penetration reached 95% in 2014



Source: Ericsson Mobility Report – June 2014

Many Standards – Many Standards Bodies

ITU develops voice and video standards

3GPP develops standards for the radiocommunication between the mobile phone and the network

Smartphone

IEEE develops Wi-Fi standards

IETF develops internet protocols such as TCP/IP and HTTP

Different standards bodies and their resulting standards

Standards-setting entity	Produces	Examples
Single companies	'Proprietary specifications'.	Standards that evolve from a specific company or vendor.
Formal standards-developing organizations (SDOs)	'Open standards' (which can become 'de jure standards' if their implementation is mandated by law).	ITU, ISO, IEC, ETSI, various national standards bodies, etc.
Forums and consortia (quasi-formal SDOs)	Typically, open standards, but may produce closed standards, depending on the organization in question.	IETF, Broadband Forum, W3C, Bluetooth Consortium, OASIS, etc.

Possible advantages and disadvantages of standards

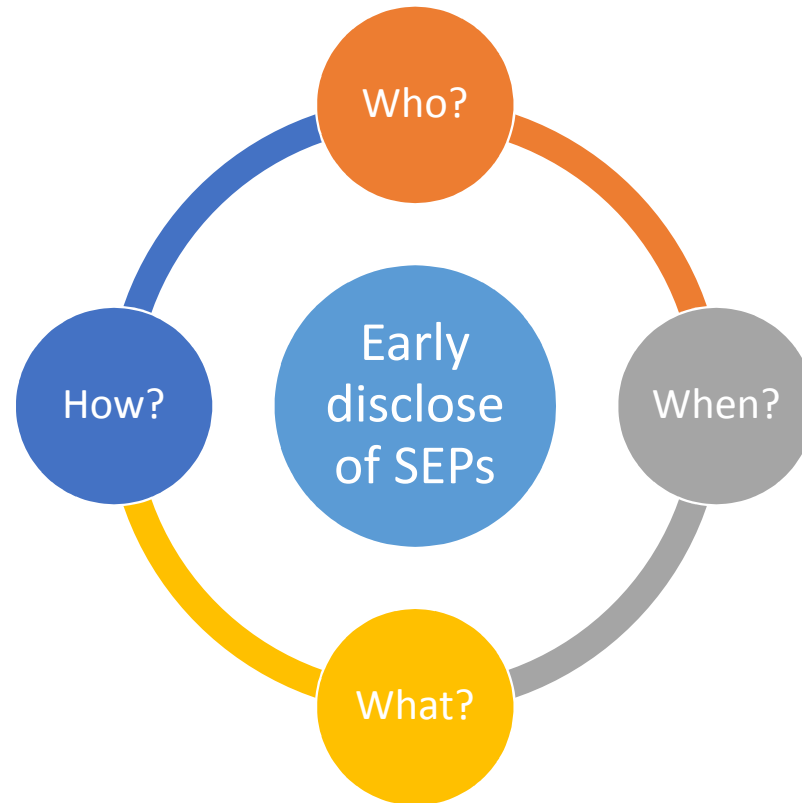
Possible advantages

- Encourage innovation and competition
- More suppliers; lower risk for one-supplier dominated markets
- Lower switching costs
- Easier evaluation of offerings
- Facilitate interoperability - easier combination of products or services
- Easier interchangeability of products or services
- Increase cost efficiency

Possible disadvantages

- Transfer power to participants in the standardization process
- Less diversity between technical approaches, particularly early in product life cycle
- Biased to large vendors
- Biased to large purchasers
- Protect markets by obstructing their access
- Hamper competition through a reluctance to adopt new or improved standards

A closer look at ITU's patent policy



Examples of patent statements per standard

Standard	Number of patent statements
2G	+7'400
3G	+16'000
4G	+3'800
H.264	+1'600
Wi-Fi	+400

Specific issues with patents in standards and possible dispute resolution mechanisms

