

1. Record Nr.	UNINA9910299863103321
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Titolo	Multi-dimensional Approaches Towards New Technology [[electronic resource]] : Insights on Innovation, Patents and Competition // edited by Ashish Bharadwaj, Vishwas H. Devaiah, Indranath Gupta
Pubbl/distr/stampa	Singapore, : Springer Nature, 2018 Singapore : , : Springer Singapore : , : Imprint : Springer, , 2018
ISBN	981-13-1232-X
Edizione	[1st ed. 2018.]
Descrizione fisica	1 online resource (XXV, 337 p. 13 illus., 4 illus. in color.)
Disciplina	343.099
Soggetti	Mass media Law Conflict of laws Law and economics Economic policy Management Industrial management IT Law, Media Law, Intellectual Property Private International Law, International & Foreign Law, Comparative Law Law and Economics R & D/Technology Policy Innovation/Technology Management
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di contenuto	Introduction -- 1. Unwired Planet v. Huawei: Major Progress in Putting "FRAND" into FRAND Licensing -- 2. The Role of the European Commission in the Development of the ETSI IPR Policy and the nature of FRAND in Standardization -- Blockchain Technology in Aid of Trademark Protection -- Understanding the Nuances in the Interplay Between IPRs and Competition Law -- Do Strategic Actions Speak Louder Than Words? A Framework to Formulate a National IP Policy -- The Development and Theoretical Controversy of SEP Licensing Practices in China -- The Interaction Between IP and Competition Laws

in the EU: Necessity of Convergent Interpretation with the Principles Established by Relevant Case Law -- IP, patents and competition law in Australia -- Regulating Abuse of SEPs in Mobile Communications Market: Reviewing the Qualcomm Cases in Korea -- "Predatory" patent practices: A telecom perspective -- The Demographics of Intellectual Property -- Innovation, economic value and welfare implications of digital economy -- Market competition and IP infringement in the solar off-grid sector -- Innovation and Intellectual Property: Perspectives from Indian Small & Medium Enterprises (SMEs) -- When Competition Agencies Harm Competition: Essential Patents -- Antitrust Economics in the New Digital Economy -- Standard Essential Patents vis-à-vis IPR and Competition Law in India – Is there a Regulatory Overlap? -- Classic Theory of Tort Liability and Infringement of SEPs: A Law and Economics Approach -- A shift in the perception of SDO role and policy, and the impact on SEPs, FRAND licensing, and standard setting processes -- How Should Antitrust Law Account for Innovation as an Aspect of Competitive Analysis? -- Competition Law and Standard Essential Patent (SEP) in India: Reminiscences of a Commissioner -- Interplay of competition and IPR elements: Case of the payment and settlement systems market in India.

Sommario/riassunto

This open access edited book captures the complexities and conflicts arising at the interface of intellectual property rights (IPR) and competition law. To do so, it discusses four specific themes: (a) policies governing functioning of standard setting organizations (SSOs), transparency and incentivising future innovation; (b) issue of royalties for standard essential patents (SEPs) and related disputes; (c) due process principles, procedural fairness and best practices in competition law; and (d) coherence of patent policies and consonance with competition law to support innovation in new technologies. Many countries have formulated policies and re-oriented their economies to foster technological innovation as it is seen as a major source of economic growth. At the same time, there have been tensions between patent laws and competition laws, despite the fact that both are intended to enhance consumer welfare. In this regard, licensing of SEPs has been debated extensively, although in most instances, innovators and implementers successfully negotiate licensing of SEPs. However, there have been instances where disagreements on royalty base and royalty rates, terms of licensing, bundling of patents in licenses, pooling of licenses have arisen, and this has resulted in a surge of litigation in various jurisdictions and also drawn the attention of competition/anti-trust regulators. Further, a lingering lack of consensus among scholars, industry experts and regulators regarding solutions and techniques that are apposite in these matters across jurisdictions has added to the confusion. This book looks at the processes adopted by the competition/anti-trust regulators to apply the principles of due process and procedural fairness in investigating abuse of dominance cases against innovators.
