

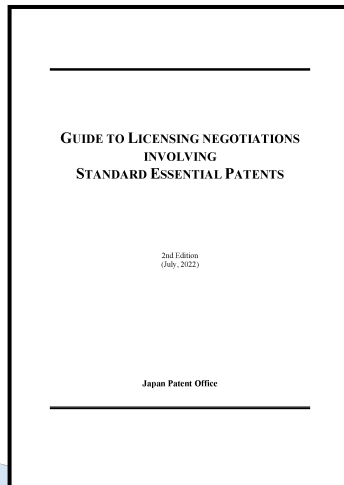
Guide to Licensing Negotiations involving SEPs

Purpose of this Guide:

Chapter I

Aiming to

- Enhance transparency and predictability
- Facilitate negotiations between rights holders and implementers
- Help prevent or quickly resolve disputes concerning SEPs
- ✓ NOT legally binding, NOT prescriptive
- ✓ Subjected only to FRAND-encumbered SEPs



Main Points Covered in the Guide :

● Licensing Negotiation Methods

Chapter II

Good Faith, Efficiency

● Royalty Calculation Methods

Chapter III

Reasonable Royalties, Non-Discriminatory

Relationship to Good Faith Negotiation Guidelines for SEP Licenses

- The guide from the JPO does not conflict with these guidelines from METI.

Good Faith Negotiation Guidelines for SEP Licenses (from METI)



- The norms of good faith negotiations provided by the Japanese government to be followed by SEP holders and implementers involved in SEP licensing negotiations including Japanese patents.
- Established in consideration of the opinions of entities including domestic and foreign companies, as well as industries and experts on intellectual property and competition law in Japan.
- Not legally binding, and does not forejudge future judicial rulings

The Guide to Licensing Negotiations Involving SEP (from JPO)



- Not the norm
- Objectively summarizes issues concerning licensing negotiations based on domestic and foreign court rulings, competition authorities' judgments, and licensing practices
- Not legally binding, and does not forejudge future judicial rulings