

**Opening Remarks of International Telecommunications Society (ITS) Chair, Stephen Schmidt, for ITS webinar, *Patent Policy and the Global Race for 5G leadership*, 1 March 2022.**

Welcome!

Thank you for being with us today.

This is the first *International Telecommunications Society* (ITS) webinar of 2022 and our 12<sup>th</sup> webinar since the onset of the pandemic – a time during which we have magnified our reach and positive impact in terms of audience, geography and subject matter.

During this time, our webinars have covered timely and diverse topics such as remote work, deep fakes, smart cities, digital platforms, COVID tracking and tracing apps, OTT streaming, and more.

We are joined today by members of the ITS family from all over the world. We are grateful to each of you for being here today.

We are particularly appreciative to those of you joining us from time zones where it may be dark outside – either because it is before breakfast time or because it is after dinner time (in Asia, in particular).

**Today's webinar:**

As you are aware, the global rollout of 5G promises transformative social and economic impacts through enabling

technologies such as AI, virtual reality, autonomous vehicles, remote medicine, and more.

But this revolution is highly sensitive to the quality and character of government policy, including approaches to spectrum policy, national security, and infrastructure deployment.

A crucial, but under-profiled, aspect of the global policy ecosystem concerns how policymakers approach “standard essential patents” (SEPs), which are critical to enable interoperability of 5G devices across countries.

As countries around the world race to deploy 5G networks and 5G technologies, patents are increasingly seen by policymakers as a central tool to drive technological innovation and comparative advantage.

However, the potential for regulatory activism in this area poses a risk to the establishment of a dynamic 5G ecosystem.

Recent landmark court decisions in the US, in particular, may supplant license negotiation in competitive markets and impose the same set of rules for patent license contracts across industries and around the world.

**Looking at the landscape of 5G, patents and regulation, crucial questions include:**

- are the current standardization frameworks optimal for promoting technical progress and innovation?

- Can the situation be improved by increased regulatory intervention in standard essential patents?
- And, most pressingly, what does it mean for the global race for 5G when courts in the US have already expressed the position that more intervention would improve the situation?

We have a fantastic speaker today who is uniquely situated to speak to these issues:

**Professor Daniel Spulber** is the *Elinor Hobbs Distinguished Professor of International Business and a Professor of Strategy and law* at Northwestern University. He is the author of numerous leading articles and books, including [The Case for Patents](#) published last year, and his work has been cited widely including by the US Supreme Court.

**For organizing this webinar, I would like to thank:**

- **Our speaker**, Prof. Spulber;
- **Our academic host**, the *Southern Illinois University Edwardsville* Business School, SIUE School of Business Dean, Dr. Tim Schoenecker, and Dr. Sandy Levin, Professor Emeritus at SIUE and an ITS Board member;

- **Our corporate host** for this event, TELUS Communications, as well as all our ITS corporate members who make these important conversations possible;
- **And all of you who have joined today.** We are very grateful that you have chosen to invest your time and attention with us and we look forward to your questions, comments and insights.

I hope that everyone enjoys!

Stephen Schmidt  
ITS Chair