

# Unit 8 - Week 6

## Course outline

### How to access the portal?

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- Lecture 29 : Technology Transfer Agreements
- Lecture 30 : TTBER and safe harbor provisions
- Lecture 31 : Standard Essential Patents and FRAND Terms
- Quiz : Assignment 6
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### Assignment Solution

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## Assignment 6

The due date for submitting this assignment has passed.  
As per our records you have not submitted this assignment.

**Due on 2019-09-11, 23:59 IST.**

- 1) TTBER is an exception to Article 101 of TFEU. The full form of TTBER is: 1 point
- (a) Technology Transfer Block Exception Regulations
  - (b) Technology Transfer Block Exemption Regulations
  - (c) Technology Transfer Block Exemption Regulations
  - (d) None of the above

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
(c) Technology Transfer Block Exemption Regulations

- 2) A patent that protects technology essential to a standard is called \_\_\_\_\_. 1 point
- (a) Standard Essential Patents
  - (b) Utility Patents
  - (c) Essential Technology Patents
  - (d) Both (a) and (c)

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
(a) Standard Essential Patents

- 3) FRAND terms are essential for the SEP holders to follow, so that they are not alleged of Anti – Competitive Practices. FRAND stands for: 1 point
- (a) Fair Reasonable and Non – Discriminatory licensing terms
  - (b) First Restrained and Non – Discriminatory licensing terms
  - (c) Fair Restrained Appreciable and Non – Discriminatory licensing terms
  - (d) Fair Reasonable and Non – Differentiating licensing Terms

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
(a) Fair Reasonable and Non – Discriminatory licensing terms

- 4) In order to enjoy the Block Exemption rule, the market share of both the competitor undertakings shall be – 1 point
- (a) Less than or equal to 40%
  - (b) Less than or equal to 50%
  - (c) Less than or equal to 30%
  - (d) Less than or equal to 20%

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
(d) Less than or equal to 20%

- 5) Which of the following is not a negative effect of the restrictive technology transfer in the market? 1 point
- (a) reduction of inter-technology competition
  - (b) reduction of intra-technology competition
  - (c) substitutability of the product
  - (d) foreclosure of competitors by raising their costs

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
(c) substitutability of the product

- 6) Which of the following is /are a standard setting organization for Industries? 1 point
- (a) European Telecommunications Standards Institute (ETSI)
  - (b) International Organization for Standardization (ISO)
  - (c) Both (a) and (b)
  - (d) There is no specific standard setting body

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
(c) Both (a) and (b)

- 7) Which of the following statement is true? 1 point
- (a) A SEP holder can refuse to license a SEP.
  - (b) A SEP holder has a right to seek injunction against any potential user of the technology.
  - (c) Seeking an injunction against a potential licensee who has agreed to the FRAND terms is an abuse of dominant position by the SEP holder.
  - (d) In Samsung v. Apple, Samsung did not seek prohibitory injunction against Apple prior to the Commission's investigation.

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
(c) Seeking an injunction against a potential licensee who has agreed to the FRAND terms is an abuse of dominant position by the SEP holder.

- 8) The European Commission held that: "in the standardisation context, where the SEPs holders have committed to (i) license their SEPs and (ii) do so on fair, reasonable, non-discriminatory (FRAND) terms, it is anti-competitive to seek to exclude competitors from the market by seeking injunctions on the basis of SEPs if the licensee is willing to take a license on FRAND terms." In which of the following case was it held? 1 point

- (a) Huawei v. ZTE
- (b) Samsung v. Apple
- (c) Motorola v. Apple
- (d) Both (b) and (c)

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
(d) Both (b) and (c)

- 9) Which of the following is an essential term of SEP patent license? 1 point
- (a) Products/services and fields of use covered
  - (b) Term/duration of the licence
  - (c) Royalties, payment terms and auditing rights
  - (d) All of the above

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
(d) All of the above

- 10) The new guidelines of TTBER deals with **Hardcore Restrictions** under which of the following provision? 1 point
- (a) Article 4
  - (b) Article 2
  - (c) Article 8
  - (d) Article 6

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
(a) Article 4