

**Intergovernmental Group of Experts on Competition Law and
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Round Table on:

***"Examining the interface between the objectives of
competition policy and intellectual property"***

Contribution

by

Ebru Gökçe

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Intergovernmental Group of Experts on Competition Law and Policy

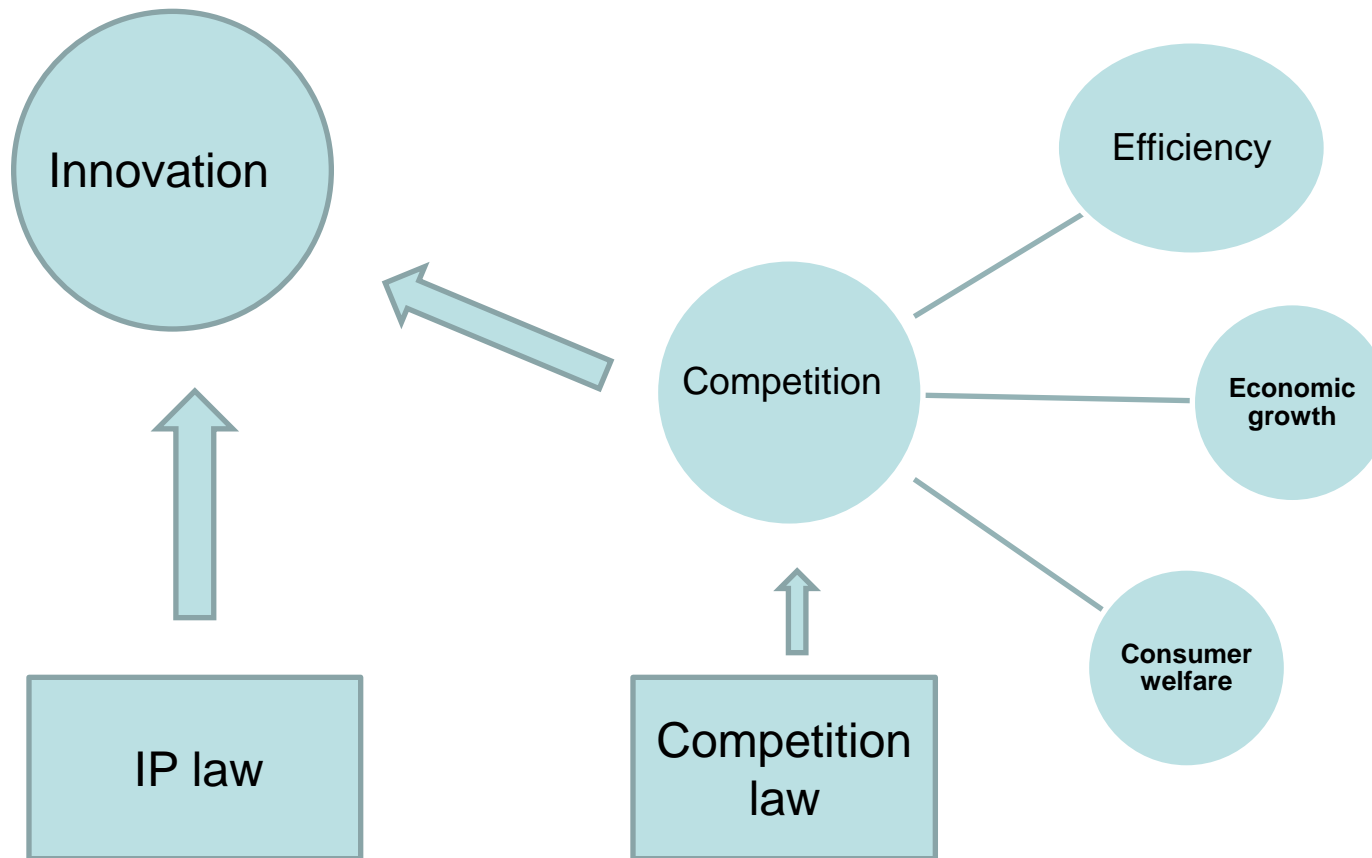
Examining the interface between the objectives of competition policy and intellectual property

Ebru Gökçe

Legal Officer Competition and Consumer Policy Branch

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Objectives of competition and intellectual property laws



IPR practices raising competition concerns

- **Intra-technology restrictions**
- **Refusal to license**
- **Patents and standard setting**
- **Standardization and patent pools**
- **Pay-for-delay settlements**
- **Non-cash patent settlements**
- **Mergers and acquisitions with an intellectual property rights dimension**



Addressing anti-competitive practices related to IPRs

- Adopt policies with a balanced approach to IP and competition:
 - Allow businesses to recoup their R&D investments while keeping markets contestable.
- Incorporate in competition legislation provisions governing IPR related issues.
- Develop secondary legislation or guidelines on how to tackle competition cases involving IP
- Competition law enforcement: anti-competitive agreements, abuse of dominance, mergers

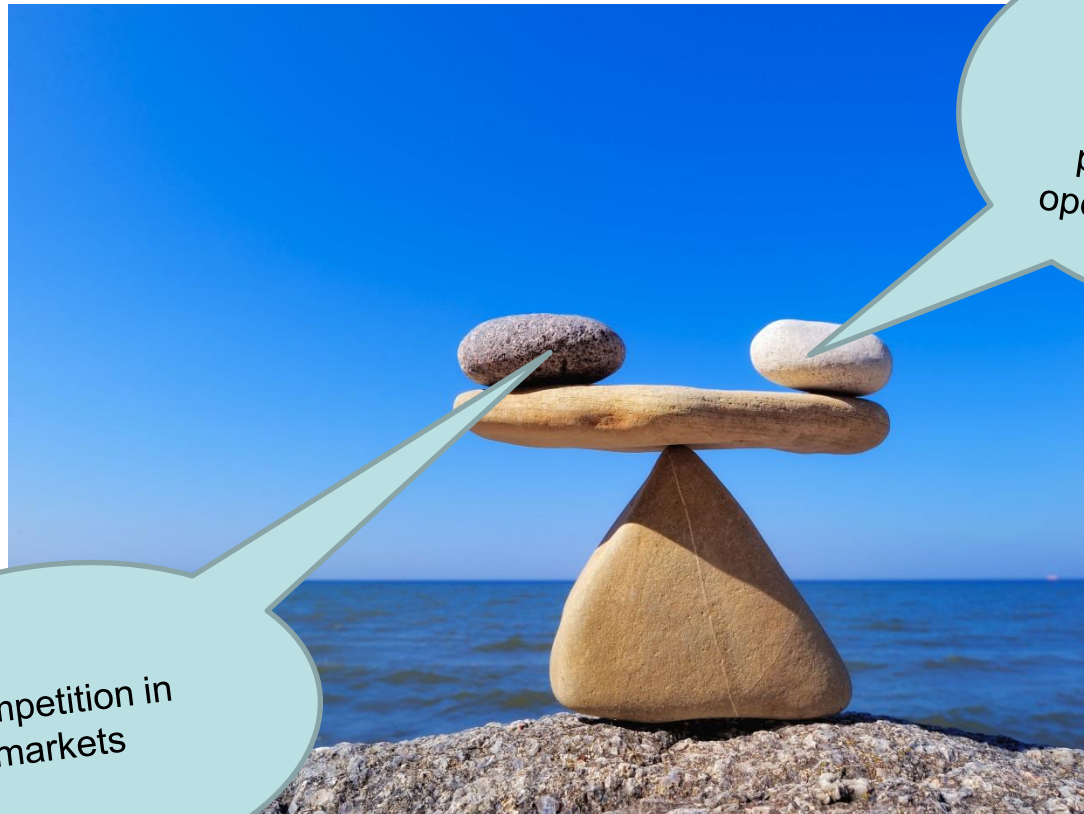


Addressing anti-competitive practices related to IPRs

- **Regulate know-how by granting intellectual property protection and include in the scope of competition law**
- **Inter-agency coordination and cooperation between competition authorities and government regulators responsible for intellectual property regulation (patent offices, national standard setting agencies, food and drug approving agencies)**



IP and competition: Striking the right balance



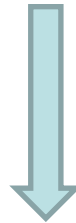
Creation of
innovation and
innovative
processes that
open new markets

Competition in
markets



Conclusions

- To achieve the goals of innovation, competitive markets and economic growth



- Balanced approach to intellectual property protection and competition





Thank you

Ebru Gökçe

ebru.gokce@unctad.org

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