

SIDLEY AUSTIN LLP

# SIDLEY

BEIJING BRUSSELS CHICAGO DALLAS FRANKFURT GENEVA HONG KONG HOUSTON LONDON LOS ANGELES NEW YORK PALO ALTO SAN FRANCISCO SHANGHAI SINGAPORE SYDNEY TOKYO WASHINGTON, D.C.



Kristina Nordlander

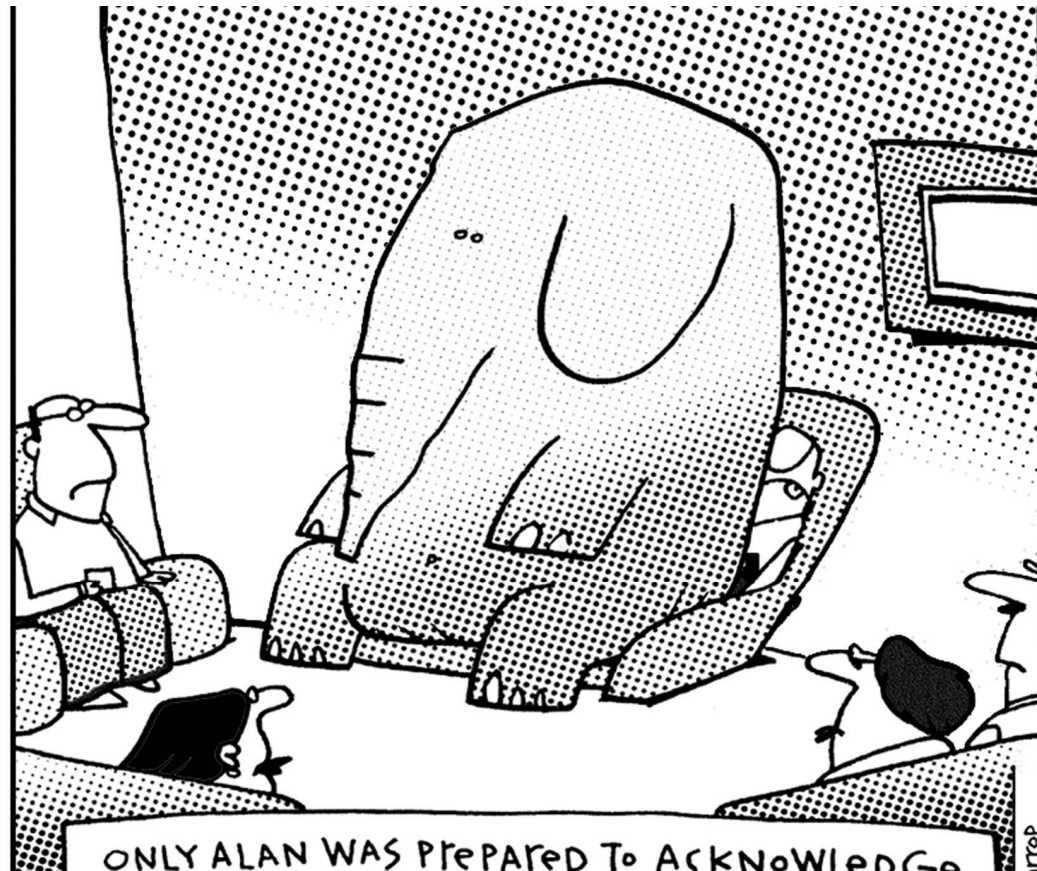
**PATENT SETTLEMENTS AND EU COMPETITION POLICY**

GCLC Conference, 17 May 2013

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**How do we get from presumed validity of patent to (by object) restriction of competition within its scope without becoming patent judges?**

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# Proposed Technology Transfer Guidelines

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## Pay-for-restriction in settlement agreements

- *[...] Scrutiny is necessary in particular if the licensor provides an inducement, financially or otherwise, for the licensee to accept more restrictive settlement terms **than would otherwise have been accepted based on the merits of the licensor's technology.***

# World Offices

## BEIJING

Suite 608, Tower C2  
Oriental Plaza  
No. 1 East Chang An Avenue  
Dong Cheng District  
Beijing 100738  
China  
T: 86.10.5905.5588  
F: 86.10.6505.5360

## BRUSSELS

NEO Building  
Rue Montoyer 51 Montoyerstraat  
B-1000 Brussels  
Belgium  
T: 32.2.504.6400  
F: 32.2.504.6401

## CHICAGO

One South Dearborn  
Chicago, Illinois 60603  
T: 312.853.7000  
F: 312.853.7036

## DALLAS

717 North Harwood  
Suite 3400  
Dallas, Texas 75201  
T: 214.981.3300  
F: 214.981.3400

## FRANKFURT

Taunusanlage 1  
60329  
Frankfurt am Main  
Germany  
T: 49.69.22.22.1.4000  
F: 49.69.22.22.1.4001

## GENEVA

Rue de Lausanne 139  
Sixth Floor  
1202 Geneva  
Switzerland  
T: 41.22.308.00.00  
F: 41.22.308.00.01

## HONG KONG

Level 39  
Two Int'l Finance Centre  
8 Finance Street  
Central, Hong Kong  
T: 852.2509.7888  
F: 852.2509.3110

## HOUSTON

JPMorgan Chase Tower  
600 Travis Street  
Suite 3100  
Houston, Texas 77002  
T: 713.229.8790  
F: 713.224.6889

## LONDON

Woolgate Exchange  
25 Basinghall Street  
London, EC2V 5HA  
United Kingdom  
T: 44.20.7360.3600  
F: 44.20.7626.7937

## LOS ANGELES

555 West Fifth Street  
Los Angeles, California 90013  
T: 213.896.6000  
F: 213.896.6600

## NEW YORK

787 Seventh Avenue  
New York, New York 10019  
T: 212.839.5300  
F: 212.839.5599

## PALO ALTO

1001 Page Mill Road  
Building 1  
Palo Alto, California 94304  
T: 650.565.7000  
F: 650.565.7100

## SAN FRANCISCO

555 California Street  
San Francisco, California 94104  
T: 415.772.1200  
F: 415.772.7400

## SHANGHAI

Suite 1901  
Shui On Plaza  
333 Middle Huai Hai Road  
Shanghai 200021  
China  
T: 86.21.2322.9322  
F: 86.21.5306.8966

## SINGAPORE

6 Battery Road  
Suite 40-01  
Singapore 049909  
T: 65.6230.3900  
F: 65.6230.3939

## SYDNEY

Level 10, 7 Macquarie Place  
Sydney NSW 2000  
Australia  
T: 61.2.8214.2200  
F: 61.2.8214.2211

## TOKYO

Sidley Austin Nishikawa  
Foreign Law Joint Enterprise  
  
Marunouchi Building 23F  
4-1, Marunouchi 2-chome  
Chiyoda-Ku, Tokyo 100-6323  
Japan  
T: 81.3.3218.5900  
F: 81.3.3218.5922

## WASHINGTON, D.C.

1501 K Street N.W.  
Washington, D.C. 20005  
T: 202.736.8000  
F: 202.736.8711

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