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Patent case: Koninklijke Philips N.V. vs. Wiko SAS, Netherlands

Bart van Wezenbeek (Hoffmann Eitle) · Wednesday, July 31st, 2019

The holder of a standard essential patent (SEP) should first notify the alleged infringer of the SEP, following which the alleged infringer should inform the patent holder of its willingness to take a licence. Then, said licence needs to be offered on FRAND terms.

These steps are guidelines for good faith negotiations between the parties. The term non-discriminatory does not mean that licence conditions should be standard; it may be that specific circumstances necessitate different licence conditions.

Case date: 02 July 2019

Case number: 200.219.487/01

Court: Court of Appeal of The Hague

A full summary of this case has been published on [Kluwer IP Law](#).

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