

#### **Bridging the Gap - Webinar Series Part 3:**

Generating insights from standards contribution data

Tim Pohlmann IPlytics GmbH

Recording: https://youtu.be/I0Zmc55ZCyo

#### **IPlytics Webinar Series 2022**

Bridging the Gap Part 1: "Generating insights from SEP Declaration Data"

September 27<sup>th</sup>, 2022

Register: https://www.iplytics.com/events/past/

Bridging the Gap Part 2: "Generating insights from SEP Litigation Data"
October 25<sup>th</sup>, 2022

Register: https://www.iplytics.com/events/past/

III. <u>Bridging the Gap Part 3:</u> "Generating insights from Contribution Data" **November 30**<sup>th</sup>, 2022

Register: https://www.iplytics.com/events/past/



#### Today's Speaker







- CEO and founder of IPlytics.
- 2022 IAM Strategist 300. Panel speaker thought leader.
- **Economic expert** and author of studies for the EU Commission, WIPO and German government.
- Appointed faculty lecturer (TU Berlin, EPF Lausanne, CEIPI Strasbourg, Cleveland-Marshall College of Law)
- Author of over 50 industry articles published at <u>IAM</u>
   Magazine, <u>IPWatchdog</u> and <u>Managing IP</u>.















#### Today's Agenda

- How to retrieve standards contribution data!
- Which SSOs provide SEP data for which standards?
- III. How to match, normalize and categorize contributions!
- IV. Common pitfalls when analyzing and counting contributions.
- V. Best practices on counting and valuating contributions.
- VI. Cross correlating contributions with patent data.
- VII. Takeaways.



# . How to retrieve standards contribution data?

#### I. How to retrieve contribution data?

#### **Standard Setting Organization (SSO) Websites**

- Standards contribution information is typically not hosted on the SOO website but available within the **standards consortia** that develops the standard:
- The 3G, 4G and 5G ETSI contributions are available at the 3GPP portal
- The AVC, HEVC, VVC ITU-T contributions are available at the JVT, JCTVC, JVET portals
- Wi-Fi/Bluetooth contributions are available at the IEEE mentor portal
- IETF contributions are available at the IETF RFC portal



#### I. How to retrieve contribution data?

#### **Standard contribution format:**

- Standards contribution data may come in different formats:
- ➤ Word Docs (3GPP, AVC, HEVC, VVC, IEEE)
- ➤ PowerPoint (3GPP, IEEE)
- >HTML (IETF, 3GPP, AVC, HEVC, VVC, IEEE)
- → Thus, the parsing the contribution information in inevitable



#### I. Parsing contribution data – 3GPP word doc example

Title: Clarification on the registered PLMN for Network Sharing supporting UEs in a shared network TeliaSonera Source: 16/07/2004 Date: X Category: Release: # Rel-6 Use one of the following categories: Use one of the following releases: Ph2 **F** (correction) (GSM Phase 2) A (corresponds to a correction in an earlier release) (Release 1996) R96 **B** (addition of feature). R97 (Release 1997) **C** (functional modification of feature) R98 (Release 1998) **D** (editorial modification) R99 (Release 1999) Detailed explanations of the above categories can Rel-4 (Release 4) be found in 3GPP TR 21.900. Rel-5 (Release 5) Rel-6 (Release 6)



#### I. Parsing contribution data – 3GPP HTML example

0	<u>Tdoc</u>	<u>Туре</u>	Title	Source	<u>Status</u>			
ह्य	R2-2008327	CR	Correction on cross-RAT V2X functionality in TS 38.331	Huawei, HiSilicon	agreed			
ଟେ	R2-2008321	CR	Miscellaneous corrections on TS 38.331	Huawei, HiSilicon	agreed			
ଟେ	R2-2007980	CR	Correction on IAB-MT capability for TS 38.331	Huawei, HiSilicon	available			
ଶ୍ରେ	R2-2007970	CR	Miscellaneous corrections for TS 38.331 for IAB	Huawei, HiSilicon	merged			
86	R2-2007852	CR	Miscellaneous corrections on TS 38.331	Huawei, HiSilicon	revised			
ଌ୕ଌ	R2-2007848	CR	Miscellaneous corrections on V2X for TS 38.331	Samsung	available			
66	R2-2007766	CR	Correction on TS 38.331 for CPC	Huawei, HiSilicon	not pursued			
ଶ୍ର	R2-2007764	CR	Correction on TS 38.331 for CHO	Huawei, HiSilicon	agreed			
66	R2-2007652	CR	Addition of MPE reporting to TS 38.331	InterDigital	revised			
ଶ୍ରେ	R2-2007299	CR	CR on SL power control parameters in TS 38.331	Huawei, HiSilicon	available			
ଌୈ	R2-2007245	CR	CR on SidelinkUEInformationNR reporting in TS 38.331	Huawei, HiSilicon	available			
973	D0 0007044	00	CR on security for NR SL	u tror	20.1			

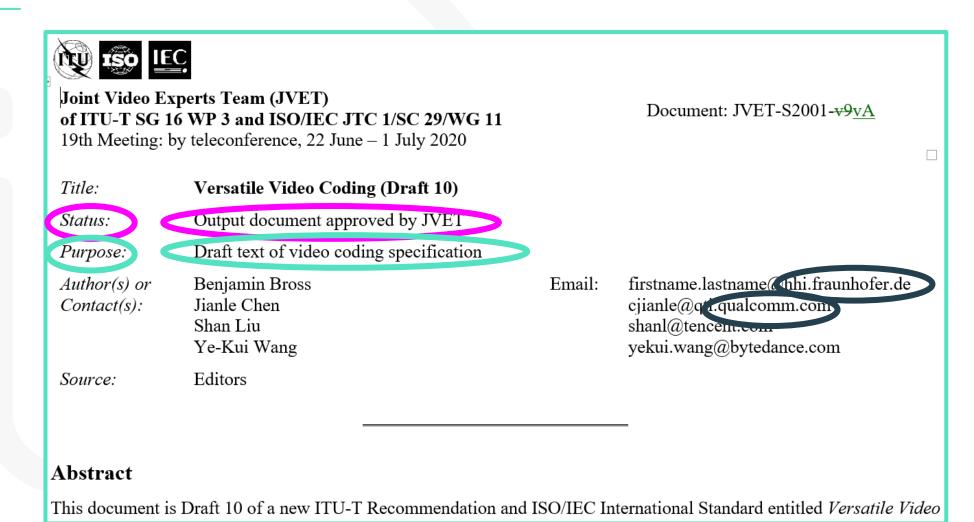


#### I. Parsing contribution data – JVET HTML example

JVET number	MPEG number	Created	First upload	ast upload	<u>Title</u>	Source
<u>JVET-M0473</u>	m45749	2019-01-03 02:01:36		2019-01-11 17:00:09	Simplified HMVP	W. Zhu, A. Segall (Sharp)
JVET-M0059	m45313	2018-12-28 05:23:13	II .	2019-01-10 11:03:38	CE4: Non-scaling STMVP (Test 4.2.1)	T. Zhou, T. Ikai (Sharp)
<u>JVET-M0065</u>	m45319	2018-12-28 05:28:40		2019-01-16 13:18:35	Non-CE3: Intra chroma partitioning and prediction restriction	T. Zhou, T. Ikai (Sharp)
JVET-M0884	m46539	2019-01-14 16:41:15	II .		Crosscheck of JVET-M0792 (CE10-related: Combined test of multi- hypothesis inter prediction and OBMC)	Z. Deng
JVET-M0139	m45403	2019-01-01 15:06:26		2019-01-08 19:38:30	Non-CE3: History-based intra most probable modes derivation	Z. Zhang, P. Wennersten, R. Yu, J. Ström, R. Sjöber (Ericsson)
JVET-M0138	m45402	2019-01-01 15:01:53	2019-01-01 15:26:23	2019-01-08 19:41:19	Non-CE3: Intra reference sample deblocking	Z. Zhang, K. Andersson, R. Sjöberg (Ericsson)
JVET-M0693	m46087				Crosscheck of JVET-M0183 (CE10-related: Simplification of MPM generation for CIIP)	Z. Zhang, K. Andersson, R. Sjöberg (Ericsson)



#### I. Parsing contribution data – JVET word doc example





#### I. Parsing contribution data – JVET word doc example

Draft 10 of Versatile Video Coding.

#### Ed Matac

Incorporated he following items:

• Misc. editorial changes (thanks to Peng Yin and Li Zhang for their inputs to many of these)

#### **High level tool control adoptions (completed):**

- JVET-S0073 (JVET-S0144 item 6.a): Remove no tsrc constraint flag.
- JVET-S0130 aspect 1 (JVET-S0144 item 9.a): Change the range of sps\_num\_points\_in\_qp\_table\_minus1[i] from 0..63 + QpBdOffset to 0..36 sps\_qp\_table\_start\_minus26[i].
- JVET-S0053 aspect 1 (JVET-S0144 item 11.a.i): If pps chroma tool offsets present flag is equal to 1, infer the values of the chroma DB offsets in the PH and SH, when not present, to be equal to the chroma DB offsets in the PPS



#### I. Parsing contribution data – IEEE HTML example

Home Documents Wiki Help eTools Sign In 19-Feb-2021 08:38:48 ET Join group | Back | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 | Next **Documents** All Groups DCN, Title, Author or Affiliation Everything All Years **Author** Title Created (ET) ▼ Year DCN Rev Group Uploaded (ET) Actions Affiliation) 19-Feb-2021 07:17:06 ET 19-Feb-2021 ET 238 3 TGbc Hitoshi Morioka (Koden TI) Download Resolution for CID1237 19-Feb-2021 ET 2021 276 0 TGbb proposed text for 4.4 Chong Han (pureLiFi) 19-Feb-2021 06:05:20 ET Download 18-Feb-2021 ET 238 2 TGbc Resolution for CID1237 Hitoshi Morioka (Koden TI) 18-Feb-2021 20:53:54 ET Download Stephan Sand (German 18-Feb-2021 ET 2021 18-Feb-2021 16:29:42 ET Download 83 1 TGbd LB251 CR for 11bd D1.0 Clause 4 Aerospace Center (DLR)) 18-Feb-2021 ET 18-Feb-2021 16:13:37 ET Download 2021 271 0 TGbi March Agenda Carol Ansley (self) Proposed Draft Text (PDT-Joint): Spatial Stream and MIMO 18-Feb-2021 ET 2021 10 TGbe 18-Feb-2021 15:45:54 ET Download 11 Wook Bong Lee (Samsung) Protocol Enhancement Part 2 18-Feb-2021 ET 2021 270 0 TGbe Channel access overview for Triggered SU Dibakar Das (Intel) 18-Feb-2021 17:06:28 ET Download Sigurd Schelstraete (ON Semiconductor) 2021 18-Feb-2021 ET 95 4 TGbe PHY-related agreements for SST 18-Feb-2021 11:47:16 ET Download 18-Feb-2021 ET 2021 269 0 TGbe 19-Feb-2021 00:48:57 ET Download PSR\_based\_SR\_normalization\_discussion Ross Jiar Yu (Huawei) 18-Feb-2021 ET 2021 41 18-Feb-2021 10:53:31 ET Download 1 TGbe Group addressed frame delivery methods for MLO Qi Wang (Apple Inc.) 18-Feb-2021 03:57:23 ET Download 18-Feb-2021 ET 2021 7 802.11 WG Teleconference Information Stephen McCann (Huawei) Phase Rotation for 320 MHz Non-HT Duplicate Transmission and 18-Feb-2021 ET 2021 129 3 TGbe 18-Feb-2021 03:13:31 ET Download Chenchen LIU(Huawei) Pre-FHT modulated Fields



Which SSOs provide standards contribution data?

#### II. Which SSOs provide SEP data for which standards?

IPlytics integrates weekly updated full text standard contribution data 1990 – today:

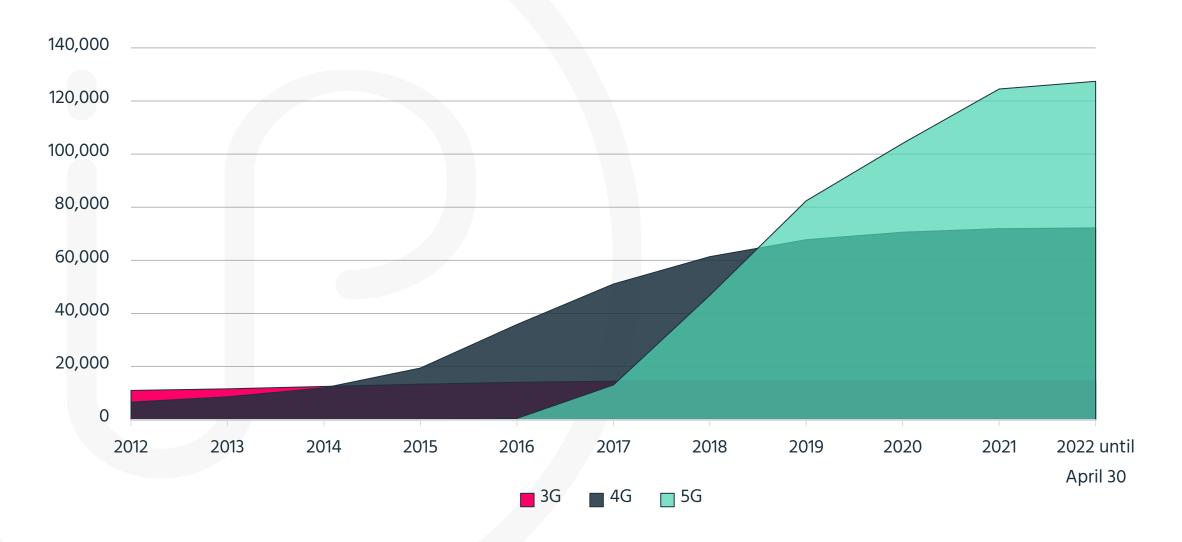
SSO	Information available	Count
ETSI - 3GPP	full text	1,360,708
IEEE	full text	130,987
IETF	full text	9,042
JVET (ITU VVC)	full text	9,741
JCT-VC (ITU HEVC)	full text	9,729
JVT (ITU AVC)	full text	3,151

#### **IPlytics Data Source**

Worldwide Patents (USA, Europe, Korea, Japan, China, etc.) Extended patent families 120 M Legal status (pending/granted, lapsed/revoked/active/expired) **Patent** • Worldwide reassignment information **Documents**  Worldwide litigation information **Declared Patents** 440.000 • 25 SDOs and 11 patent pools Patent and standards document ID **SEP**  Licensing commitments (e.g. FRAND, reciprocity) declarations Patent Pools **Standards Documents** 4 M • 2,5 M standards documents (Full text, author, supporting company) Standards / • 1,5 M standards contributions (Full text, author, contributing company) • Type (TS, TR, CR, WI), Status (revised, agreed, approved, noted) **Contributions** 



#### > There have been more technical contributions submitted to 5G than in 2G, 3G and 4G combined





III. How to match, normalize and categorize standards contribution data?



Contributions can be associated to final specifications:

CR 36.133 v8.4.0 
TS 36.133 v8.4.0 E-UTRA

JVET-P0686 TU-T H.266, ISO/IEC 23090-3 Versatile Video Coding

TGn LB84 → IEEE 802.11n-2009 Wi-Fi 4



#### Contributions differ by type, category and status:

- Type (work item, change request, input/output document, draft etc.)
- Category (addition of feature, correction, editorial modif., functional modif.)
- Status (e.g. agreed, approved, incorporated, noted, rejected etc.)



#### Contributions differ by generation, group or release:

- Generation (3G / 4G / 5G, Wi-Fi 4 / Wi-Fi 5 / Wi-Fi 6, AVC / HEVC / VVC)
- Group (RAN 1 / RAN 2 / SA 1 / SA2 / CT1, TGax / TGn / TGbe, JVT / JCTVC / JVET )
- Release (e.g. Release 12, 13, 14, 15, 16)



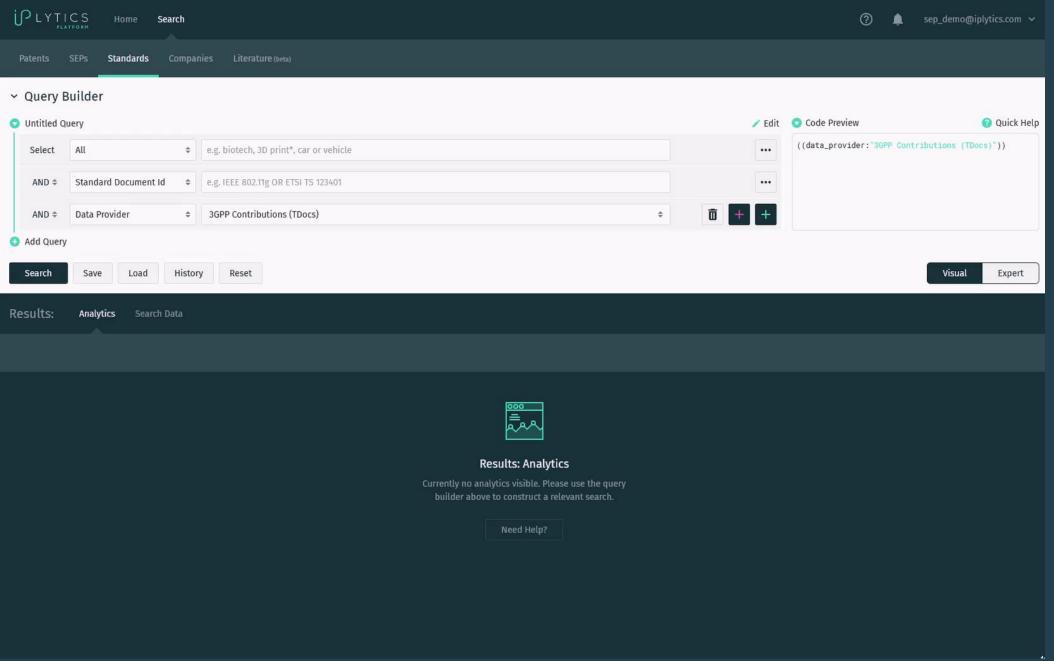
#### Contributions may be submitted by single companies or groups:

- A single contributing company
- A group of contributing companies
  - A first contributing company and other supporting companies



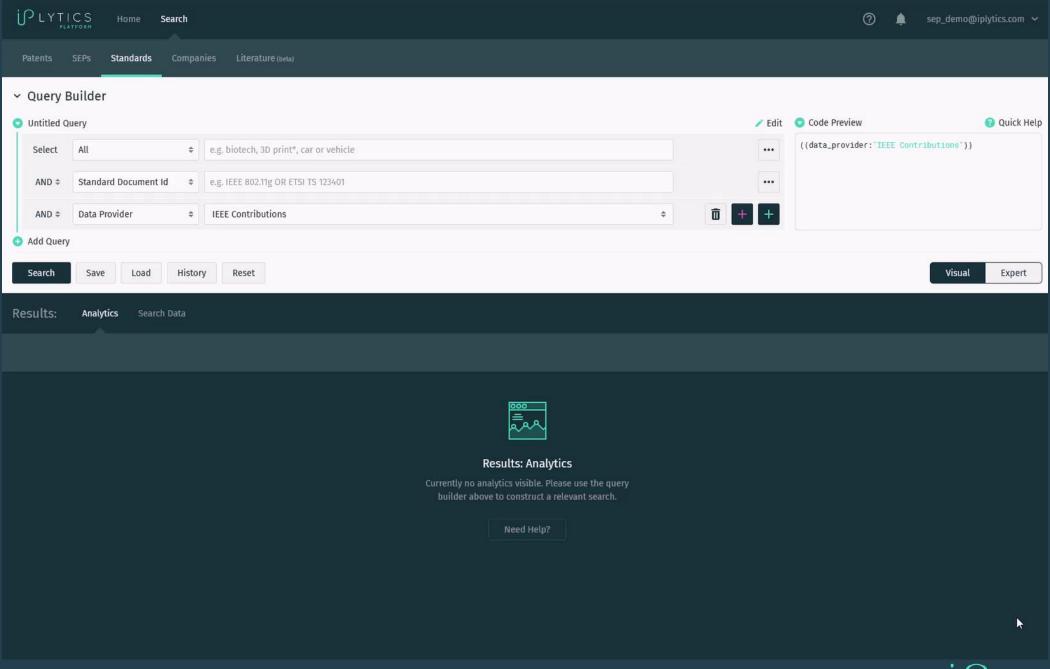
## How to identify all approved 5G contributions?





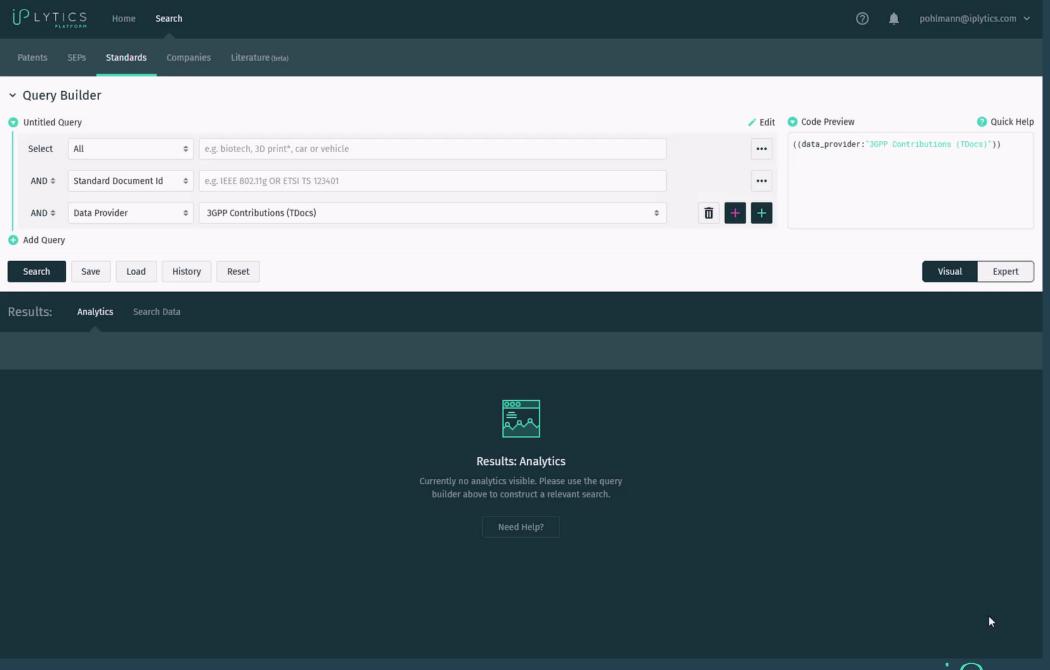
### How to identify all Wi-Fi 6 contributions?





### How to identify all incorporated VVC contributions?







V. Common pitfalls when analyzing and counting contributions





### Standards contributions are not SEPs!



#### **Experts' statements:**

- "Standards development is not all about filing SEPs. The main goal is to develop the best possible standards to enabling our products in the market" (IEEE expert)
- "Contributions may not describe a technical step essential to the standard.
   A good share of technical specifications (TS) are not subject to patents"
   (3GPP expert)
- "One way to filter out contributions that are more likely related to standard essential patents (SEPs) is to only count those contributions made to patent heavy standards (for example a specification such as 38.331)." (3GPP expert)





### There is an "over-contribution" problem!



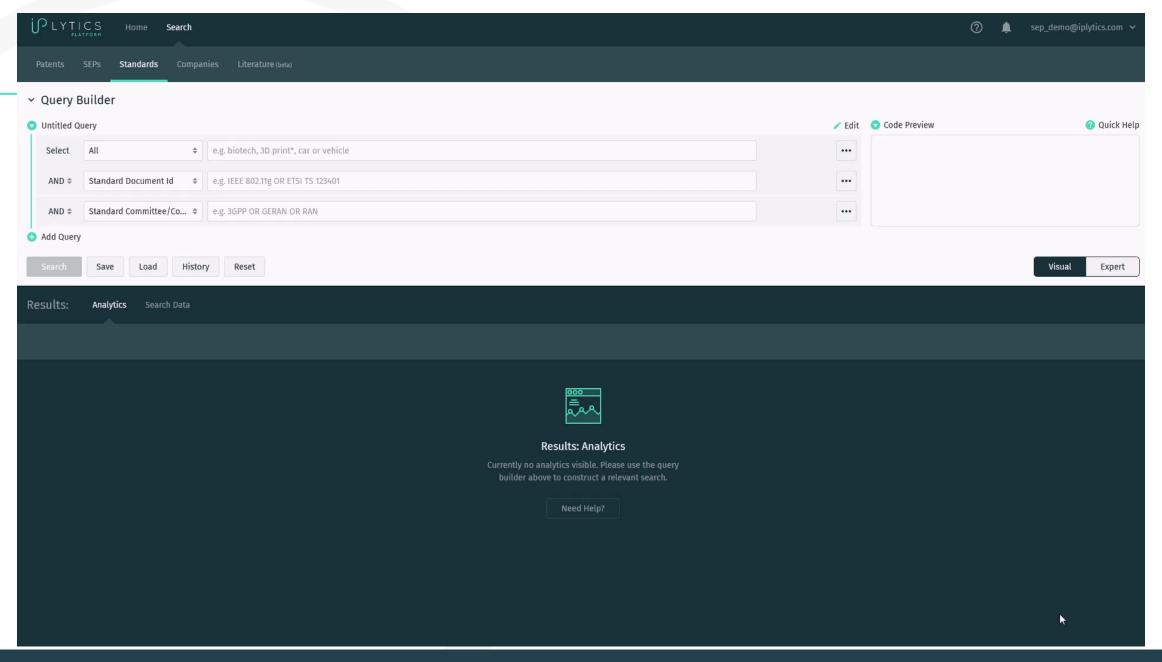
#### **Experts' statements:**

- The "over-submission of contributions" is real problem to the standards developers and to the standards bodies. (3GPP expert)
  - Balazs Bertenyi Chairman of 3GPP RAN: "In reality, flooding 3GPP standards meetings with contributions is extremely counterproductive. The efficiency and success of the standards process is measured in output, not input."
- "The counting standards contribution needs well done refinement, counting only approved, incorporated real technical contributions submitted to standards subject to patents". (3GPP expert)



### How to identify all **V2X** contributions?









# Not all standard contributors own SEPs and not all SEP owners contribute!



### IV. Common pitfalls when analyzing contributions

### **Experts' statements:**

 "Especially for small companies one must keep in mind the collaborative and iterative aspects of standard setting, where one participant's technology may wind up in contributions by another because they independently came up with similar innovations or because of informal, sometimes unattributed, collaborations. Thus some SEP owners may not be listed as a contributor and some contributors may not own SEPs". (JVET VVC expert)



### IV. Common pitfalls when analyzing contributions



# Most SEPs cite Standards Contributions as prior art!



## V. Best practices on counting and valuating declared SEP data

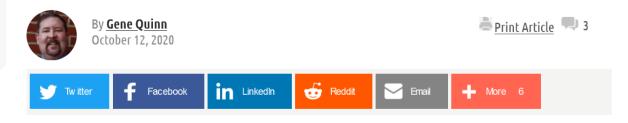
### V. Best practices on counting and valuating declared SEP data

### Standards contribution data use cases

- 1. Standard contribution data and Competitive intelligence
  - To identify potential SEP owner.
- 2. Standard contribution data and R&D management
  - Contributions helps to coordinate standard developing teams.
- 3. Standard contribution data and the Valuation of SEPs
  - Cross correlating contributions with SEP data.
- 4. Standard contribution data and Prior art search
  - > Use full text contribution data to draft valid and essential claims.



IPWatchdog about Wi-Fi 6 using standards contribution data. Technical Submissions as Helpful Indicator of Standard Essential Patent Portfolio Value



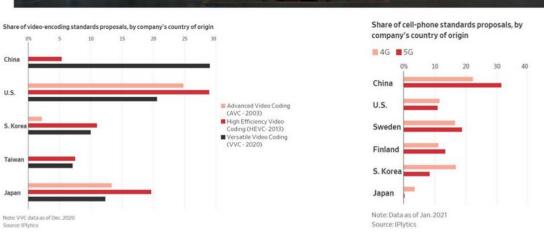
"A 'motion pass rate' or 'Accepted Rate' metric may provide a more accurate indication of the strength of a company's contributions [to a standard]. A high acceptance rate gives at least some information that the working groups – and ultimately the SSOs – accepted the

https://www.ipwatchdog.com/2020/10/12/technical-submissions-helpful-indicator-standard-essential-patent/id=126182/



WSJ about 5G and VVC using standards contribution data.

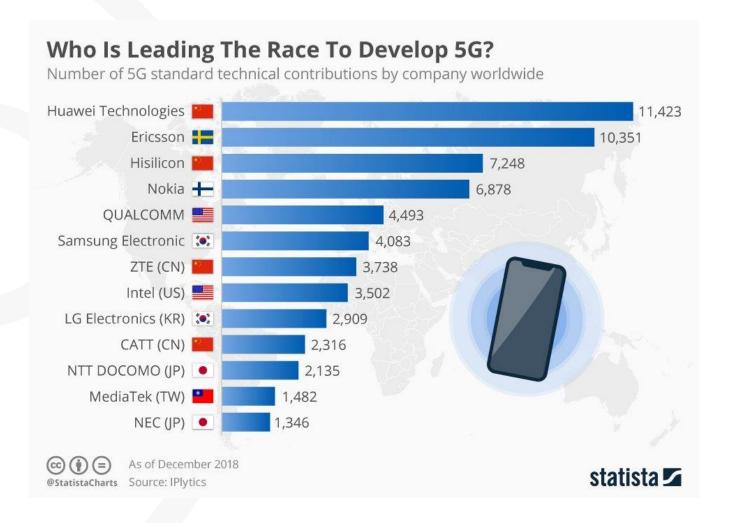




https://www.wsj.com/articles/from-lightbulbs-to-5g-china-battles-west-for-control-of-vital-technology-standards-11612722698



Statista about 5G using standards contribution data.



https://www.statista.com/chart/17536/mobile-network-standards/



Statista about
HEVC/VVC using
standards
contribution
data.





### TikTok owner among leading contributors to new video codec standard

Data exclusively compiled for *IAM* has revealed that the companies leading the way in the latest video codec standard include ByteDance, the high-profile owner of the social media platform TikTok, and fellow Chinese tech giant Tencent. Both have made a significant number of technical contributions to the new VVC standard. This was **finalised** at the start of July and is expected to begin roll-out next year.

As it currently stands, Qualcomm is leading the way having made more than 2,300 contributions to the standard, with Huawei in second at a little over 1,500 and Tencent taking third with 1,200 contributions.

ByteDance comes in at sixth having so far made 874 contributions, while fellow Chinese social media business Kuaishou - which is known as Kwai in the rest of the world - is in 10th, having racked up 770 contributions.

The numbers highlight the extent to which newer players from China have not only captured the zeitgeist through their wildly successful platforms both in their domestic market and further afield, but also appear to be making significant technical contributions, at least in terms of quantity, to the new era of video. The data is particularly impressive when you consider that both the TikTok owner and Kuaishou are still relatively new having been founded in 2012 and 2011 respectively.

It is also worth noting Huawei's progress. It has emerged as a significant player in HEVC and appears to have grown its position in VVC. As

https://www.iam-media.com/frandseps/tiktok-owner-among-leading-contributors-new-video-codec



### V. Standard contribution data and R&D management

"Tracking attendance information and contributions allows us to better manage our standards developing teams."

R&D manager of a large SEP holder



### VI Cross correlating contributions with patent data

### Connecting the data points

### Correlating patents and standards – First Applicant Contributor comparison

- First applicant (Company Inc.)
- US1234567B1 declared to TS 38.473 RAN3



- Submitted accepted and approved contribution for TS 38.473 at RAN3 meeting









### Connecting the data points

### Correlating patents and standards – Inventor Attendee comparison

- Inventor (Peter Brown, Company Inc.)
- US1234567B1 declared to TS 38.473 RAN3 Attended RAN3 Meetings
- Attendee (Peter Brown, Company Inc.)









### V. Standard contribution data and the Valuation of SEPs

Combining patent value indicators and standard information such as contribution counts, and cross references of applicant/assignees and inventors allows to valuate patents relation to standards and to rank and valuate declared patent portfolios:

Publication Nr.	Declared TS	Patent Essentiality Prediction Liklelihood Score	(1) Patent claim technical specification similarity score	(2) Patent claim corresponding Tdoc similarity score	(3) Patent's listed inventors participated at corresponding standards meeting	(4) Number of patent applicant/assignee's contributions to the standard	(5) Patent's prio. date overlaps with core prio. date range of declared SEPs	(6) Patent has been cited by declared SEPs (excluding self-citations)	(7) Patent cites of predecessor standard or Tdocs as prior art in the non-patent literature	(8) Patent's IPC/CPC overlaps with verified SEP's IPC/CPCs
US8270932B2	TS38 331   TS36 300   TS	92,11%	97,25%	87,33%	276	8	82%	18	0	59,00
US8995294B2	TS36 212   TS38 213   TS	90,87%	83,17%	80,09%	293	6	79%	1	0	60,83
US8774027B2	TS38 214   TS36 213	85,02%	89,54%	82,78%	207	5	82%	2	0	64,17
US9326314B2	TS36 321   TS36 213   TS	81,02%	83,95%	81,54%	580	4	73%	1	1	62,50
US9628983B2	TS24173   TS36 321   TS3	79,67%	84,79%	80,59%	1046	6	77%	2	1	54,17
US8780870B2	TS36 211   TS36 213   TS	73,99%	81,83%	79,09%	286	5	68%	0	1	66,67
US8189502B2	TS36 213   TS38 213	72,76%	76,68%	70,22%	159	2	65%	2	0	12,50
US10136365B2	TS36 331   TS38 300   TS	69,21%	70,91%	72,87%	144	2	69%	0	0	38,33
US8160016B2	TS36 211   TS38 213	68,98%	71,67%	61,68%	95	2	45%	1	0	16,67
IICRESERSERS	T038 243 LT036 244 LT01		66.8196			1	5500	1	0	



### Connecting the data points

### Scoreboard to valuate declared patents:

Claim sections similarity, inventor attendee overlap, first applicant contribution overlap, FWD citation, NPL citation, timing and classification.

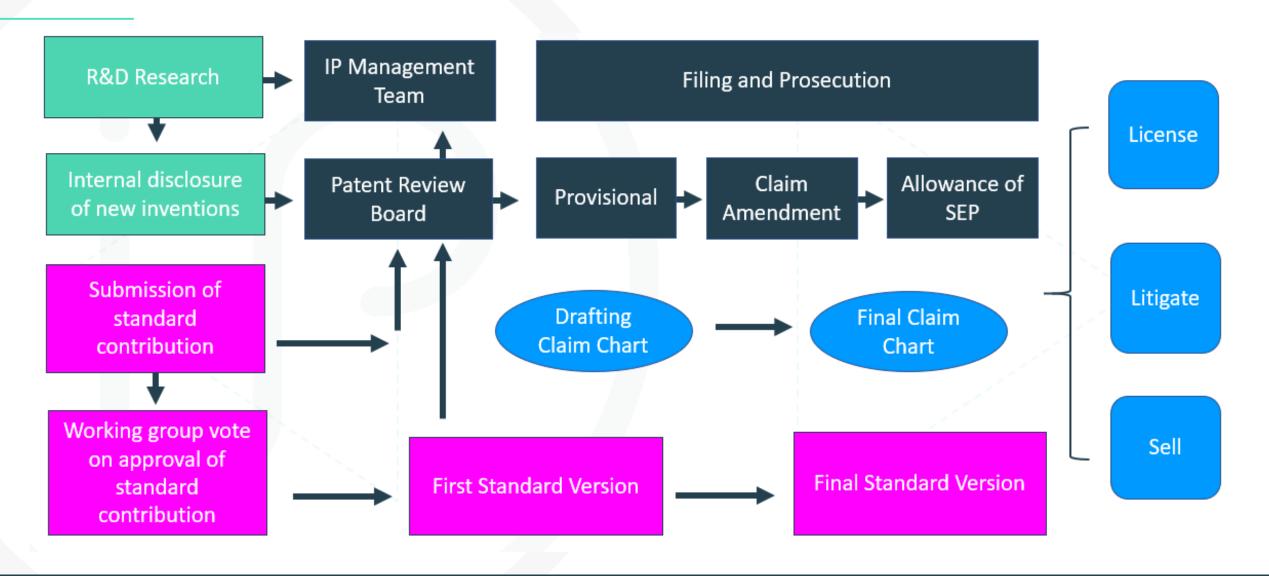




### VII Using contributions to file valid and essential patents



### V. Standard contribution data and Prior art search





### IV. Common pitfalls when analyzing contributions

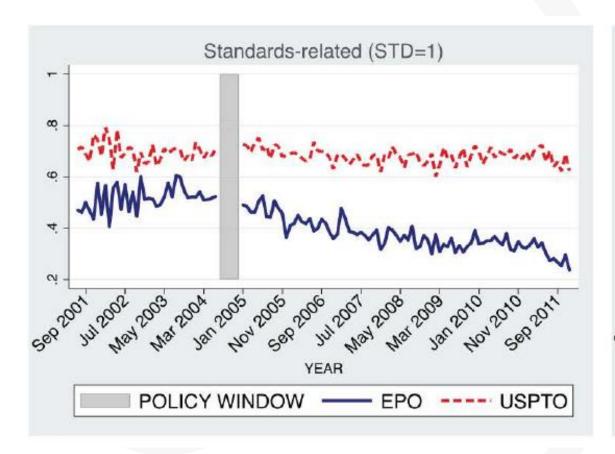
Analysis of NPL-citations: 3GPP

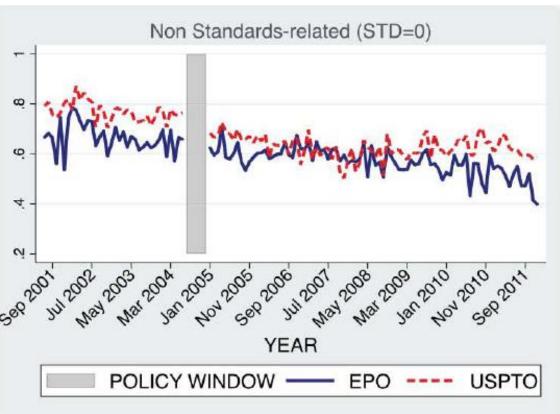
- ▶ 81,383 patents citing 3GPP documents, including
  - ➤ 26,702 citations to technical specifications (TS)
  - 29,603 citations to technical contributions
  - ▶ 9,249 citations to meetings (meeting minutes?)
  - ► 5,969 citations to technical reports (TR)

Source: Justus Baron and Daniel F. Spulber: Technology Standards – An Introduction to the Searle Center Database, Journal of Economics and Management Strategy, 27-3, 2018



### IV. Common pitfalls when analyzing contributions





Bekkers, Rudi, Arianna Martinelli, and Federico Tamagni. "The impact of including standards-related documentation in patent prior art: Evidence from an EPO policy change." *Research Policy* 49.7 (2020): 104007.



### V. Standard contribution data and Prior art search

"As a defendant you always have to play both cards, you fight validity and you fight essentiality. Otherwise there is no chance of winning."

SEP litigation expert



### Likelihood of validity and essentiality

Estimating the statistical likelihood of a portfolio including at least one essential and valid patent shows at even in pessimistic scenarios a portfolio of 250 patents includes at least one enforceable SEP:

Validity	pessimisti	c (30% valid)		optimistic (80% valid)		
Essentiality	low	medium	high (50%)	low	medium	high (50%)
	(10%)	(25%)		(10%)	(25%)	
Portfolio size						
5	0.1413	0.3228	0.5563	0.3409	0.6723	0.9222
10	0.2626	0.5414	0.8031	0.5656	0.8926	0.9940
25	0.5330	0.8576	0.9828	0.8756	0.9962	1.0000
50	0.7819	0.9797	0.9997	0.9845	1.0000	1.0000
100	0.9524	0.9996	1.0000	0.9998	1.0000	1.0000
250	0.9995	1.0000	1.0000	1.0000	1.0000	1.0000



### VIII. Takeaways



### VI. Takeaways

### Things to consider when using data on patent declaration

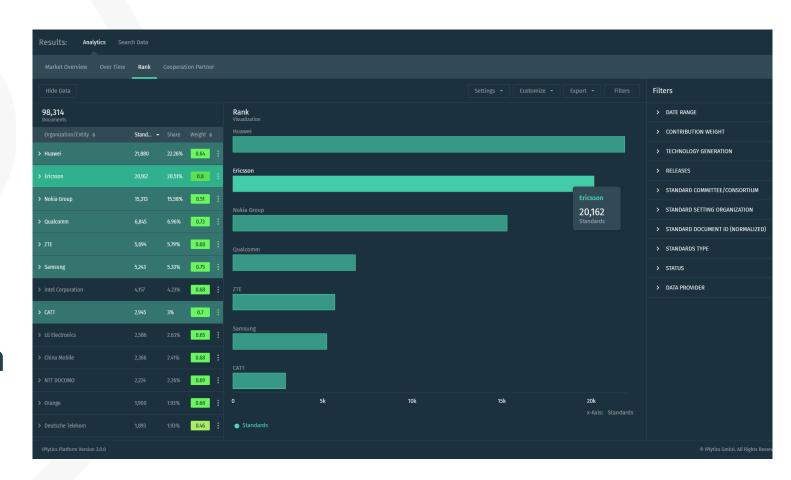
- Standard contribution data information should not be interpreted as a 1:1 indicator for SEP portfolios
- However, standard contribution data sometimes is the best available source to understand SEP landscapes when declaration data is missing (e.g. Wi-Fi or VVC).
- In order to make sense of the standard contribution data it needs further refinement and categorization:
  - > Standard contributions must be identified as agreed/approved or incorporated
  - > Standard contributions must be identified as **real technical contributions** (filter out corrections or editorial modifications)
  - > Standard contributions should be considered for TS subject to patents
  - > Standards must be matched to **standards data** (generation, technology group, release, date)



### Identify potential SEP owner:

### **IPlytics Platform**

- Who is the standards development leader?
- ✓ Who was the first contributor?
- ✓ Who increased contributions for a certain standard?

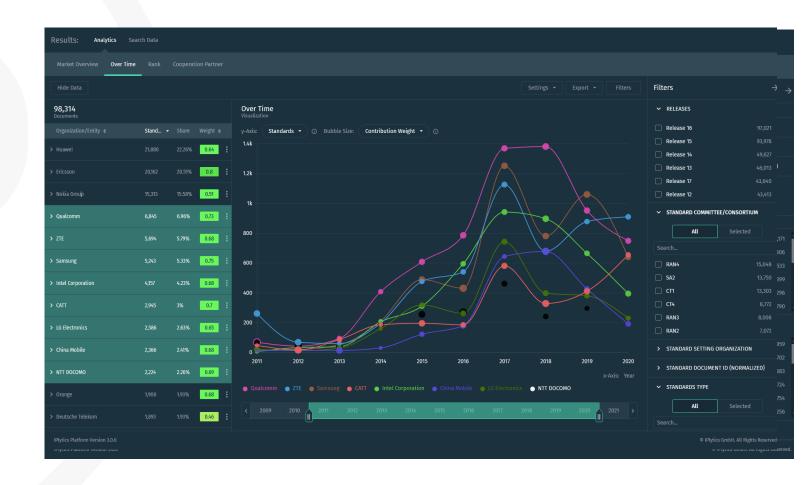




### Categorize and refine:

### **IPlytics Platform**

- Which are real technical contributions?
- At which rate are contributions agreed, approved and incorporated?
- ✓ Who else was listed as a contributor?

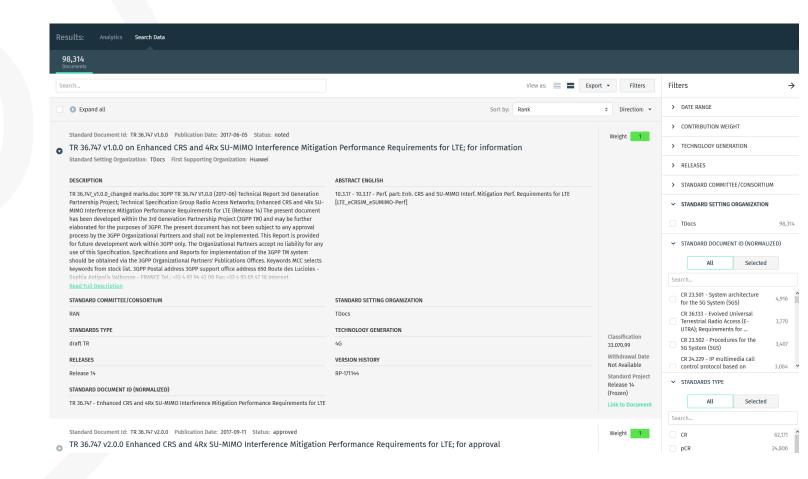




### Find prior art:

### **IPlytics Platform**

- Search all fully indexed standards contributions.
- Identify relevant contributions to your invention and identify meetings and the first publication dates.





### SEP licensors (patent owners)

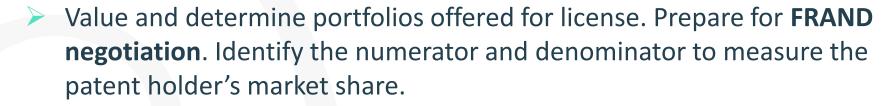


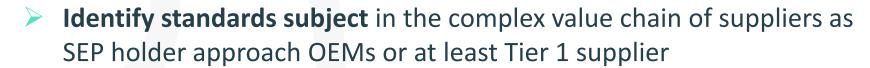
### **SEP licensors** use of IPlytics Platform:

- Align R&D investments, standards development, patent prosecution, patent portfolio management and licensing/monetarization strategy to **file valid and essential patents** and to **commercialize SEPs** in worldwide licensing campaigns.
- Compare portfolios for cross-license negotiations and monitor competition making sure to sustain revenues both on the downstream product market as well as upstream licensing market.
- Monitor competitors' standards development investments (contribution count) and identify new standards groups to maintain leading positions in standards development.

### SEP licensees (standards implementers)

### **SEP licensees** use of IPlytics Platform:





- Monitor standards development to quantify risks and plan royalty payments.
- Identify industry related (e.g. V2X or M2M) standards development initiatives to have a seat at the table when future connectivity technology is developed.



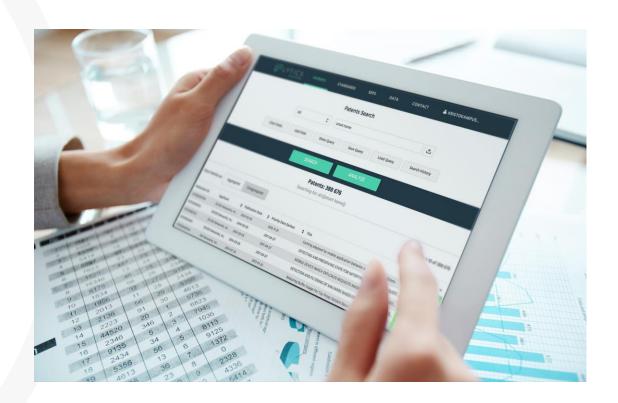
### **IPlytics Europe and US**

For more information on IPlytics Products and Services, please contact us on:

https://www.iplytics.com/request-a-demo/

Or call us at:

Europe +49 30 555 74282 or USA +1 512 947 1152



### **IPlytics Asia**

Japan

China





Will Jasprizza
Director
jasprizza@iplytics.com
M: +81 90 5276 4810



Zhao Le
Director
zhao.le@iplytics.com
M: +86 189 1870 7377



James Noh
Director
james.noh@iplytics.com
M 82-10-5418-2098



Yoshi Fukushima
Project Coordinator
fukushima@iplytics.com
T: +81 80 5744 9016



Howard Wu Project Coordinator howard.wu@iplytics.com M: +86 18402148127



Hannah Kim BD Manager hannah.kim@iplytics.com M 82-10-4650-3240







