

ACT | The App Association Praises Ruling in FTC Enforcement Case Against Qualcomm

WASHINGTON, DC- Today, ACT | The App Association released the following statement from president Morgan Reed on the granting of a partial summary judgement by Judge Lucy Koh in the Federal Trade Commission (FTC) enforcement case against Qualcomm regarding anti-competitive behavior in its standard-essential patent (SEP) licensing practices:

"Judge Koh's ruling is a victory for innovation. It reiterates, at a critical time, that FRAND promises mean that a FRAND promisor must license to any willing licensee. It also reinforces that arbitrary refusals to license, whether by virtue of the 'upstream' or 'downstream' position in the supply chain of the licensee or on some other arbitrary label a licensor may insist on, violate the FRAND commitment.

"The FRAND promise, when honored, is essential to a functioning standards system and allows our members to fully participate in the technology marketplace, advancing competition. Judge Koh's ruling provides much-needed clarity from the courts to our small business innovator members, as they cannot afford to spend millions of dollars over years of litigation that larger companies can often absorb."

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About the App Association: ACT | The App Association represents more than 5,000 app makers and connected device companies in the mobile economy. Organization members leverage the connectivity of smart devices to create innovative solutions that make our lives better. ACT | The App Association is the leading industry resource on market strategy, regulated industries, privacy, and security.