

10 June 2025

Executive Vice-President Commissioner Stéphane Séjourné
European Commission
Rue de la Loi/Wetstraat 200
1049 Brussels Belgium

RE: Request for reconsidering the withdrawal of SEP Regulation

Dear Executive Vice-President Commissioner Séjourné,

On behalf of Europe's most innovative small and medium-sized enterprises (SME)s, we respectfully urge the European Commission to reconsider its decision to withdraw the proposed SEP Regulation, and to advance this widely supported framework to final policy as soon as practicable.

SMEs are driving Europe's future economy, particularly in cutting-edge sectors such as the internet of things (IoT), healthcare, sustainability, and safety. However, abusive SEP licensing practices are hindering their growth. A small number of large SEP holders exploit legal ambiguities and information asymmetries, forcing SMEs to accept unfair terms or get out of the market entirely.

The SEP regulation has been carefully developed by the Commission, which based the proposal on a strong evidence base demonstrating serious imbalances in the EU's SEP framework and widespread abuses that most acutely harm SMEs. When the Commission proposed the Regulation to address these critical problems, the European Parliament overwhelmingly approved it. Subsequently, in the European Council, many Member States, including France, Spain, Italy and Germany, publicly recognized the necessity of the Regulation and have sought to continue discussions in the Council. Abandoning the SEP Regulation at this stage would leave SMEs trapped in a system that, as the Commission has plainly demonstrated, fosters harmful and anticompetitive SEP licensing abuses, undermining both the European Union's industrial policy goals as well as its global leadership. **Withdrawing the SEP Regulation removes solutions, not the problems the Commission has plainly identified.** European SMEs cannot afford to wait any longer.

We respectfully urge the European Commission to reconsider such withdrawal, and to put the SEP regulation on track for adoption and implementation as soon as practicable. SMEs

need a fair SEP licensing framework to thrive and continue powering Europe's digital and green transition.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Sax", with a stylized flourish at the end.

Mike Sax
Founder and Chairperson