

## ABSTRACT

Technologies that implement particular standards securing compatibility and interoperability govern our everyday lives. Given that on the one hand technical standards should be accessible to the largest possible extent and on the other hand intellectual property right (IPR) holders may restrict such access, a number of legal issues arise. This thesis primarily focuses on technical standards governed by standard-setting organizations and consequences of the inclusion of intellectual property rights (IPRs) in such standards for their proprietors from the EU competition law perspective. In this regard, the method adopted in this thesis firstly explores the underlying theoretical notions, then focuses on the current EU competition law position *de lege lata* and discusses possible adjustments thereof *de lege ferenda*. In the first chapter, technical standards are discussed along with their economic effects, particularly, compatibility, interoperability and network effects. Second chapter lays down the basic matters of interplay between technical standards, IPRs and EU competition law, namely standard-essential patents (SEPs) and fair, reasonable and non-discriminatory (FRAND) licensing terms. Current EU competition law issues are consequently outlined (patent ambush, hold-up) with emphasis on Commission's decisions *Samsung* and *Motorola* and Court of Justice's pending judgement in *Huawei v. ZTE*. Chapter three compares the treatment of technically and commercially essential patents, explores common licensing practises (patent pools, cross-licenses) and depicts current imbalances in SEP-related industries. Chapter four focuses on whether SEPs imply dominant position of their holders and comes to a conclusion that under current approach SEP holders are automatically dominant undertakings. Chapter five discusses the legal tests available in order to find abuse of dominant position by seeking and enforcement of injunctions by SEP holders and examines possible ways in which SEPs could be licensed in the future. Conclusion summarizes the observations and suggestions made in previous chapters and offers potential solutions of current issues.