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Answer given by Executive Vice-President Séjourné
on behalf of the European Commission
(4.9.2025)

The Commission remains convinced that addressing standard essential patents market failures, maximising investment and innovation, as well as fostering the standards ecosystem are crucial to fuel EU competitiveness. The proposal for a Standard Essential Patents (SEP) Regulation aimed at addressing this objective.

However, due to insufficient progress in the Council, on 12 February 2025 the Commission communicated its intention to withdraw the SEP proposal. It indicated a precise timetable which allowed for the co-legislators to consult and adopt their positions. Nevertheless, neither the Parliament nor the Council adopted a clear signal of support for the SEP proposal.

This is why, on 16 July 2025, the College decided to formally withdraw the proposal. Should these circumstances change, the Commission will revisit its policy stance and consider an adequate policy response. In the meantime, the Commission will continue to monitor market and international developments aimed at overcoming standard essential patents licensing frictions.

The Commission remains open to exploring, together with the co-legislators and stakeholders, the most suitable way to ensure that Europe stays at the forefront of technological innovation and industrial competitiveness.