



Essentiality Evaluation

Overview

The ubiquity of international standards has promulgated Standard Essential Patents. SEPs have for their part enabled interoperability and cost effectiveness unheard of with proprietary technologies.

Broadly, 'Standards' are technical specifications that describe the standard design/ technology involved in a product or process. Some better known examples are the 2G, 3G and LTE standards propounded by the European Telecommunications Standards Institute (ETSI) enabling global interoperability of cellular services; the Institute of Electrical and Electronics Engineers' 802.xx interface for communication; physical specifications for optical media technology; and the International Organisation for Standardisation's standard dimensions for most goods.

Often, standards are based on patented technology and those looking to implement the standard must license access to SEPs. Applications to that end must be evaluated for their essentiality, that is, whether the applicant has shown sufficiently that its implementation of the standard requires access to the protected invention.

The firm is the exclusive Indian representative empanelled with the International Patent Evaluation Consortium (IPEC) which has 26 law firms representing 23 jurisdictions, including China, Russia, South Korea, Mexico and many members of the OECD.

We assess the essentiality of a patent vis-à-vis the relevant standards: whether a claim pertains to the mandatory or optional aspect of the standard (claim chart mapping); identifying the category of product to which the claim is related, based on claim construction; and providing exclusive confirmation of essentiality with specific product category, if found essential.

Besides being an independent evaluator, the firm advises and represents leading SEP holding



companies in several patent infringement actions where essentiality has been invoked and enforced using claim mapping vis-à-vis the relevant standards.



OUR PRACTICES

[COPYRIGHT](#)

[DESIGN](#)

[LITIGATION](#)

[PATENTS](#)

[TRADEMARK](#)



Related News & Insights

[VIEW ALL](#)

News & Updates • August 25, 2025

[Conference on Standard Essential Patents \(SEPs\)](#)

At the FICCI–ICRIER Conference on SEPs (23rd August 2025), our Managing Partner Mr. Pravin Anand shared his vision on how India can evolve from being

News & Updates • August 24, 2025

[IAM Strategy 300](#)

‘Intellectual Property for a company/ creator is as critical and important as human rights for an individual,’ this guiding belief at ANAND AND ANAND

Thought Leadership • August 21, 2025

[Patent examination slowdown risks harming India’s IP momentum](#)

‘First published on IAM’ By: Vaishali R Mittal Patent examination by the Indian Patent Office (IPO) has slowed down dramatically over the last few

Thought Leadership • July 28, 2025

[Human versus machine consciousness](#)

‘First published on Asia IP’ By: Pravin Anand In the book What is Life, written in 1944 by theoretical physicist Erwin Schrödinger, the author states: “A
