

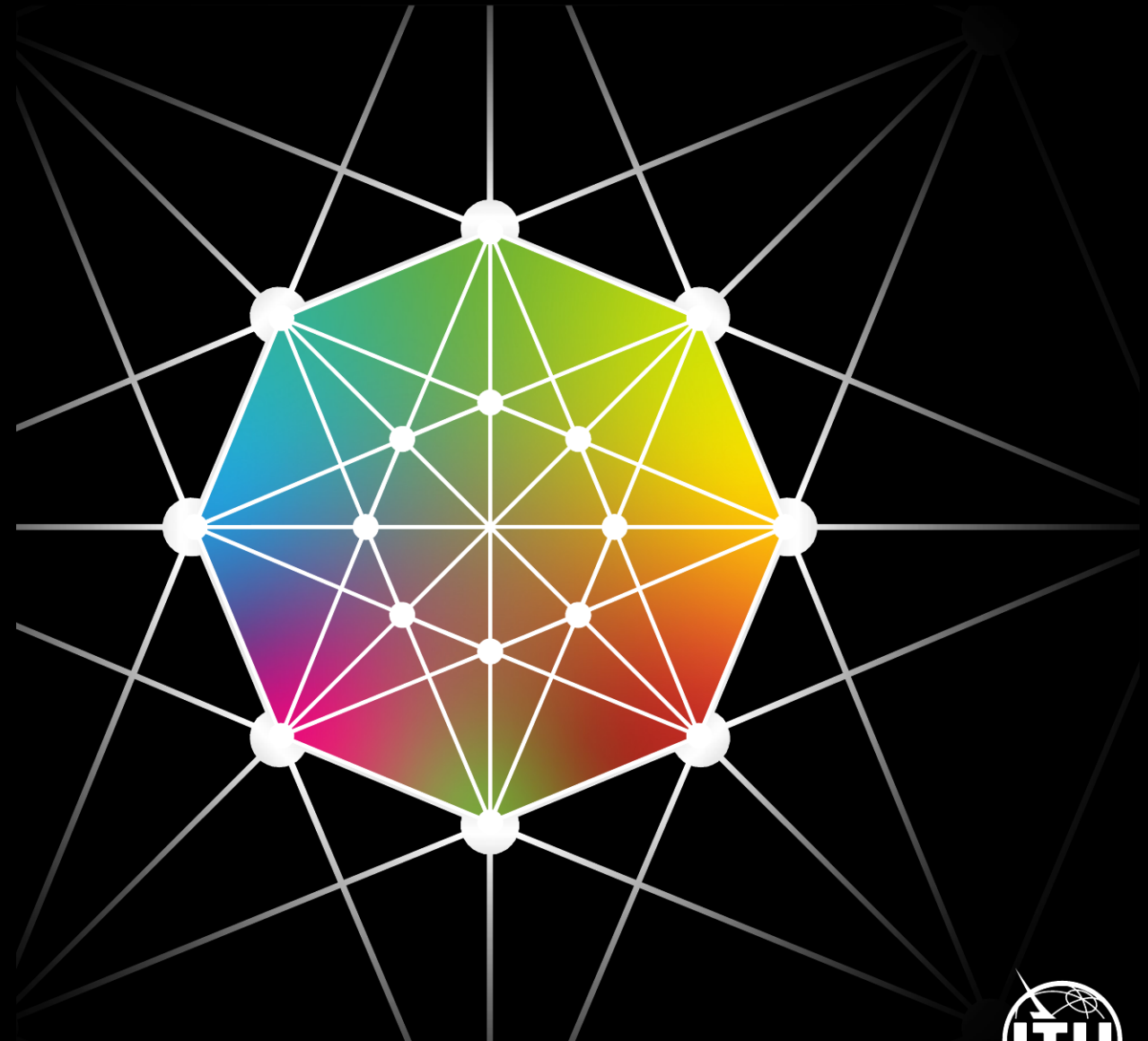
AI-NATIVE SEP GOVERNANCE

A Global Framework for Algorithmic Essentiality, Evidence Grounding,
and IP Valuation of Standard-Driven Innovation

ITU Kaleidoscope 2026 · AI and frontier technologies for good

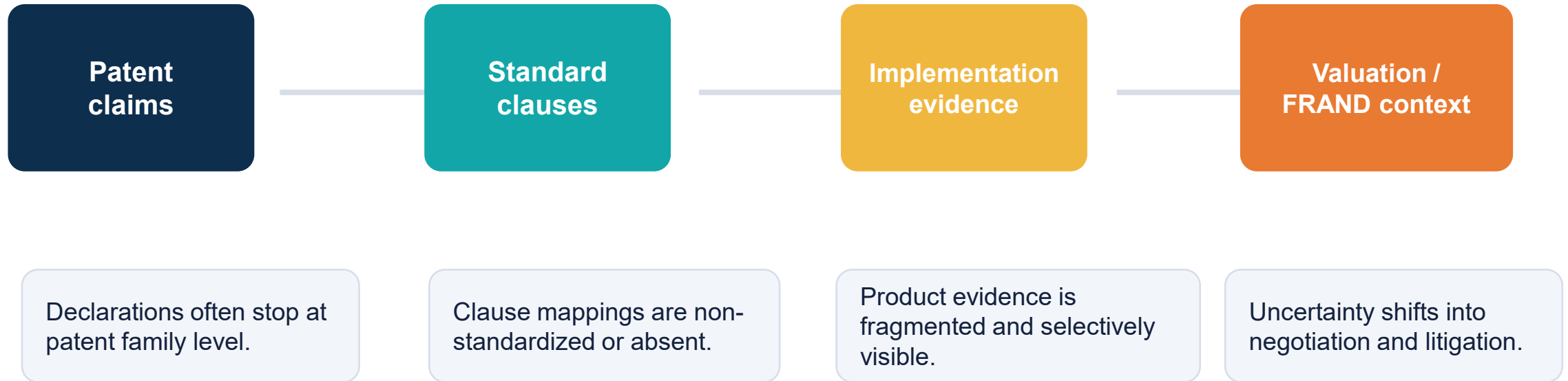
Track 3: Social, economic, environmental and policy dimensions of AI and frontier technologies

Amrutha Moorthy and Mohana Krishnaiah
Patenti Technology Solutions, India



The SEP evidence problem

Declarations are useful signals, but they rarely provide claim-level proof.



The gap is not only legal; it is evidentiary: the technical record is hard to inspect, reproduce, and compare.

Core idea: AI organizes evidence, humans decide

The framework separates evidence construction from legal determination.

AI evidence layer

- Review public technical corpora
- Organize patent and standards text
- Surface candidate evidence patterns
- Record evidence gaps and review context



Human authority layer

- Expert technical review
- Court or regulator assessment
- SSO policy rules
- Licensing and valuation judgment

Key point: AI improves evidence structure; human institutions retain judgment.

Evidence visibility framework

AI can help structure public SEP evidence without turning review into automated essentiality.

- 1 Technical relevance**
Does the patent disclosure describe behaviour connected to a standard?
- 2 Standards context**
Can the relationship to the standard be reviewed consistently?
- 3 Implementation context**
Is there public evidence suggesting real-world observability?
- 4 Review context**
Where is the evidence strong, partial, or incomplete?

Bottom line: The framework improves evidence visibility while expert and legal judgment remain human-led.

What reviewable evidence should clarify

A stronger SEP evidence record should separate support, uncertainty, and absence.

1

Technical support

Where the patent disclosure appears aligned with standard-related behaviour.

2

Partial or uncertain evidence

Where terminology, versioning, or public implementation evidence remains incomplete.

3

Unsupported gaps

Where the public record does not provide enough evidence for reliable review.

Bottom line: AI should improve evidence visibility while expert and legal judgment remain human-led.

Three evidence failures, one governance problem

Across technical mapping, litigation, and regulatory audits, the same issue repeats: evidence is not structured enough to be reviewed consistently.

TECHNICAL MAPPING GAP

Wi-Fi Aware / NAN

Claim language is rich, but public clause-level and implementation evidence is uneven.

796 granted U.S. patents
737 mapped across IEEE + Wi-Fi Alliance
414 with implementation-layer evidence

Mapping is layered, not binary.

LITIGATION EVIDENCE GAP

Philips v. Manglam, India

The record shows how absence of rebuttal and unchallenged technical evidence can shape outcome and valuation.

The concern is not only legal; it is evidentiary imbalance.

Missing evidence can shift outcomes.

REGULATORY AUDIT GAP

EU, Japan and UK audits

Essentiality audits show gaps between declared SEPs and technically supported SEPs.

Common missing pieces:

- clause-level justification
- consistent terminology
- standard-version alignment

Declarations need reviewable support.

What this proves

The problem is not lack of AI. The problem is lack of reviewable evidence infrastructure.

Wi-Fi Aware case: evidence is layered, not binary

Empirical corpus shows high technical alignment but partial implementation visibility.

Granted U.S. patents analyzed



92.6%
show dual-corpus
correspondence

Mapped across IEEE + Wi-Fi Alliance



~52%
show
implementation-
layer evidence

With implementation-layer evidence



Interpretation: claim-to-clause alignment and product observability are separate evidentiary layers.

Product evidence strengthens an evidence chain; absence of product evidence does not automatically negate technical relevance.

Why this matters for governance and valuation

Evidence quality changes uncertainty, negotiation, and institutional review.

Courts

see where the technical record is grounded, disputed, or incomplete.

SSOs

can encourage clearer evidence practices without deciding essentiality.

Regulators

can compare evidence quality across jurisdictions more consistently.

SMEs / innovators

can reduce information asymmetry using public evidence.

Evidence visibility → lower uncertainty → better comparability → fairer licensing discussions

Valuation relevance

A patent declaration creates visibility. A clearer technical record improves confidence. That confidence is what reduces uncertainty in portfolio review and valuation.

Closing message: evidence, not prediction

AI-native SEP governance is about improving evidence quality in standards-based innovation.

Declarations start the SEP conversation. Evidence completes it.

1 Evidence-grounded

Public technical evidence should be easier to inspect and compare.

2 Human-centered

AI should support expert, legal, regulatory, and licensing judgment.

3 Governance-ready

Standards institutions can encourage stronger evidence transparency.

Thank you.

AI-native SEP governance is not about replacing legal judgment.
It is about making technical evidence visible, auditable, and comparable.

