

# We Can't Let Free World 5G Infighting Give the Advantage to China



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China's unabashed ambitions to win the international race to bring 5G networks to the world poses a significant threat to U.S. national and economic security. The Chinese, through their semi-governmental companies and other entities, want to stampede the world into complete dependence on their equipment and services for 5G connectivity, with all the national security problems that would provoke. Sadly, some companies on the free side of the line who should be cooperating to counter this threat are fighting each other. I am referring to the ongoing dispute between Ericsson and Samsung over patent infringement claims at the U.S. International Trade Commission (ITC).

The last administration took huge steps and expended great diplomatic effort to slow China's dominance in 5G. It weaned many of our allies and friends off of Chinese-made network equipment and systems, and prevented a major catastrophe that would have left our telecom systems completely vulnerable to Chinese exploitation.

Today, however, instead of putting all our efforts into investments and innovations to stay ahead of China, and moving forward as a team, two technology giants are suing and countersuing each other in a spat that was started by Ericsson in an attempt to use the U.S. government to gain negotiation leverage over Samsung in a patent licensing dispute.

Ericsson and Samsung have had a long history of patent disputes. These have been settled in the past, and both companies moved on and returned their focus to competition. Competition that benefits the consumers, and the nations in which the companies operate. In the current spate of cases, though, the Swedish giant has asked the ITC to act as an arbitrator and penalize Samsung for alleged patent infringement by banning their widely used smart device products and 5G infrastructure products from the US market. The result of any such action will be to quash competition, slow US 5G deployment and adoption, and limit US consumer choice for 5G devices. A loss for the US and a win for China with more room for it to maneuver on the wider 5G battlefield. There needs to be a better way.

In conventional business environments, using legal and administrative venues and tactics to hinder your competitors is pretty common. But in this case, it is not only a misguided move, but one filled with serious consequences.

It's inappropriate for the ITC to play a role in assisting Ericsson gain leverage in their licensing dispute. The stakes are too high. Any action that severely hinders competition and restricts companies we can trust from building and implementing 5G networks is a bad policy and a self-inflicted wound of major proportion. The ITC should reject attempts to block imports of 5G related products out of hand. In fact, it should be the stated goal of the ITC to find an acceptable outcome that empowers all concerned to maximize their ability to compete favorably against the Chinese.

The bottom line is that in the race to provide 5G to the world, anything that hinders the “Good Guys,” even those who are one's competitors, will in fact help the Chinese. This is not what we need to allow, and the ITC certainly should not allow itself to be used in any way that would support China's interest in the race to 5G. Ericsson, Samsung, Apple, Nokia, AT&T, NTT, and NEC (as well as all the other free Western and Asian firms) need to be seeking to cooperate, not fight each other. The world needs the best – and most secure – 5G that can be provided. They will not get that from the Chinese. Every time a trusted tech company batters a company on the same side of the Free vs. China divide as them, they aid no one but Chinese interests. We cannot allow the U.S. ITC to aid in this sort of destructive action.

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