Overview of IEEE-SA Process and Patent Policy Changes

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Major areas of policy refinement

- Affiliation & Dominance
- Code of Ethics
- Process automation (myProject)
- Patent policy
Simplified IEEE-SA Hierarchy

Board of Governors

Standards Board

SASB Subcommittees

NesCom  RevCom  ProCom  AudCom  PatCom

Sponsors

LAN/MAN  DesAuto  SwEng  ...  PwrEng

Comp. Society

Working Groups

802.1  802.3  ...  802.21  802.22
Affiliation policy

- Requirement to declare affiliation at all standards development meetings
  - Affiliation not necessarily same as employer
  - Declaration requirement may be familiar to some 802 WGs, though WG declaration process may evolve
  - Failure to declare
    - No attendance credit
    - Possible loss of voting member privileges
  - Greater penalties possible for false or misleading declaration
- Affiliation declaration will be added to Sponsor ballot
- January (and possibly this week’s) IEEE 802 experience is basis for a Frequently Asked Questions document to be distributed soon
IEEE Code of Ethics

• IEEE-SA participation being consistent with IEEE Code of Ethics existed previously
  – IEEE Membership is encouraged but not required for standards participation
  – Ethics & Member Conduct Committee only has authority over IEEE members

• Standards Conduct Committee approved
  – Scope limited to IEEE-SA participation
  – Consider charges of CoE violation
  – Determine penalties to participants and their affiliation
  – Procedures reference Ethics & Member Conduct Committee procedures
myProject program

• New myProject features are rolling out to support these IEEE-SA procedural changes
• New features to be introduced will support:
  – Integration with attendance software
  – Code of Ethics acknowledgement
  – Copyright acknowledgement
  – Declaration of affiliation for IEEE-SA activities
  – Centralized IEEE-SA participant list
  – IEEE-SA privacy policy
• Eventually, all IEEE-SA participants (not just Sponsor Ballot participants) will be expected to have an IEEE web account
New Patent Policy

• A significant update of IEEE-SA’s patent policy
• Draft modifications developed by PatCom with extensive industry participation over more than a year
  – Major high-tech corporate counsel
  – Volunteers, staff and IEEE counsel
  – Public comment and response review
  – Review/revisions of patent policies by other SDOs
• Standards Board and Board of Governors approved
  – Becomes effective 30 April 2007
  – Educational support material is pending
• Governing documents are the authoritative reference
  – Policy – IEEE-SA Standards Board Bylaws
Patent Policy – Underlying principles

• Balance needs of intellectual property (IP) holders and implementers of standards
• IP costs are a valid consideration in standards development technology selection
• Balance the benefits of more information with recognition that working groups are technical activities
  – There are things that participants (mostly engineers) are not qualified to discuss
  – Standards development meetings aren’t venues for legal discussions between lawyers
  – Avoid anti-trust (competition law) violations
New policy Highlights

• Based on assurance, not specific disclosure
• Better transparency
  – Improve competitive analysis of technology alternatives
  – Limited discussion of IP costs will be allowed in standards development meetings
  – LOAs may be distributed (not discussed) at meetings
• Improved Letter of Assurance
  – Use of LOA form is mandatory
  – Publication of terms allowed with LOA
  – Allow flexibility in licensing terms
• Improved confidence in LOA applicability and durability
• No duty to search
More patent policy information

- Patent Policy tutorial tonight
  - More details and features will be presented
  - All LMSC and WG leadership are requested to attend
  - Any IEEE 802 participant is welcome to attend
- Educational and support material to be available before policy becomes active
  - New patent slides for use in meetings
  - Standards Companion updates
  - Refined tutorial slide set
  - Frequently asked questions document
  - Anti-trust (competition law) guide