IEEE Trademark Usage and Conformance Statement Policy and Certification Activity Research

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Today's Update

- Background

- Actions

- Results

- Recommendations

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Scope

- ...To produce requirements document(s) that can be used to establish, operate and maintain certification schemes…

  - for internal guidance

  - as basis for RFPs/RFQ

  - to educate or promote

  - To address multiple types of programs

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Request Example

We are a professional cable manufacturer, and now, we are devoting to make communication cables as IEEE, USB, Cat.5, and DVI cables.

We want to print on our cable, such content as "IEEE-1284" or "IEEE-1394". Although we are sure this cable can meet IEEE performance, we are not sure if any authorization from IEEE is needed. If necessary, please would you advise us how to achieve this authorization?

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IEEE Standards in the news

WIRELESS

Unplug at Your Own Risk

Networks may be more vulnerable to security breaches than you ever imagined BY ANNA DORFMAN

At July's Def Con 9 gathering in Las Vegas, Internet security experts stepped forward to voice concerns about the vulnerability of current wireless networks. As a whole, the group agreed that the Wired Equivalency Protocol (WEP), the default 40-bit encryption scheme built into 802.11 standard wireless local area networks (LANs) to provide the same security capabilities found in wired networks, was woefully inadequate; attendees had found that its password systems could be hacked into in less than 30 seconds.

"Wireless networks are being more widely deployed [especially when a small one today can be installed for a few hundred dollars]. The advantage is that people don't have to run cables around walls, assign specific connections to people," explains Dr. Ian Goldberg,
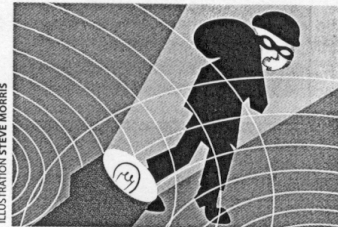
a leading cryptographer and chief scientist at Zero-Knowledge Systems, a seller of privacy and security technologies.

For a true security [...]ays, companies must ex[...]tual private networks (VP[...] the public communi[...] rather than a limited s[...] company-owned or lease[...] data before sending it o[...] developed three VPN pr[...] year Qwest rolled out bo[...] VPN and a network VP[...] Security (IPsec), a devel[...] security at the network [...] layer of network commu[...] weapon against possible [...] the VPN level.

As far as security go[...] important to acknowledg[...] issues of wireless networ[...] those of wired networks[...] tion, and authorization," [...] director of technical [...] Communications Securit[...] supplier of Internet secur[...] ing the popular SSH IPsec[...] ing to make sure users ha[...] the network, and you war[...] really are who they say they are."

The perception problem here, David adds, is "the feeling of anonymity" and isolation when you're on a cell phone or using a PDA: "People don't realize that their signals— radio signals—can be eavesdropped."

ILLUSTRATION STEVE MORRIS

Wireless technology enables business-on-the-fly

by Amy Zuckerman

A new Internet standard is about to be rolled out that will bind the Internet with the pass-through toll and highway clearance industry. Technology that marries intelligent transportation systems (ITS) and the web is close to reality after an Aug. 24 vote by the *American Society for Testing Materials* (ASTM) (www.astm.org) to back a national standard for **dedicated short-range communication**.

The new standard will not only provide national interoperability for

and Electronic Engineers (IEEE) standard **802.11a,** which is already being used to create private networks. The ASTM committee has slightly altered this standard and created **802.11a/RA** (road access).

802.11a/RA allows for easy convergence with the Internet. According to Armstrong, it has a transmission range of 3,000 feet (one

On a global level, the new U.S.-wide standard could pit American manufacturers against Europeans in world markets. Although there may be resistance from Japan — which has a built-in ITS infrastructure based on alternative technology—U.S. standards officials believe that Asian buy-in will occur over the next few years, particularly in Korea, Singapore and Malaysia.

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Branding and product liability concerns

Misuse of intellectual property

What are we doing?

IEEE Std 1216-2000

1216™

IEEE Guide for the Application of Faulted Circuit Indicators for 200 A, Single-Phase Underground Residential Distribution (URD)

IEEE Power Engineering Society

Sponsored by the
Transmission and Distribution Committee

Standards

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Trademark Policy Rationale

- IEEE name and its marks are its most valuable assets.
    - Failure to ensure they are properly used confuses the marketplace and may cause the marks to fall into the public domain
    - Currently, the marketplace is replete with inappropriate uses of IEEE name and mark.
- -Trademark Usage and Conformance Statement Policy
    - approved by IEEE-SA Board of Governors and
    - currently being inserted in every newly published standard.

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Front Matter Statement

...It is not permissible to use the standard number alone or with "IEEE" to indicate conformance or compliance with the associated standard. The user of the Standard should contact the Manager, Standards Licensing and Contracts, Standards Activities department, for information concerning issues regarding indicating product compliance with an IEEE Standard. To represent that a product has been designed to meet an IEEE standard, it is permissible to state that "the product has been engineered, designed or manufactured to meet the requirements of "IEEE Std xxxx—200xTM." However, its *not* permissible to state or refer to a product as "xxxx compliant," "xxxx certified," "IEEE xxxx conformant," "IEEE xxxx certified,"or the like, unless the user has obtained a license from the IEEE Standards Activities Department.

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Current Programs

- **IEEE POSIX®**

- **SyncML**

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Team

- **Ben Johnson –** Champion

- **Jerry Walker –** Leader (Business Development)

- **Anita Ricketts –** Operational issues (IEEE POSIX)

- **Claudio Stanziola –** Marks, IPR, Licensing, Liability, and Tax status issues

- **Peter Lefkin –** IEEE-ISTO

- **Yvette Ho Sang –** Publishing interface

- **Jane Pink –** NCC (consultant)

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Timeframe and Deliverables

- 15 August 2001 to 15 February 2002
  - Statement of Work
  - Request for Quotation
  - Independent Contractor Agreement
  - Project Initiation Document
  - Certification Program Types
  - Standards Inventory
  - Market Research Report
  - Requirements Document

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Results

- **General**
  - **Market research findings**
  - **Standards Inventory**
- **Specific**
  - **Types of Certification Programs**
  - **Pre-assessment questionnaire**
  - **Tasks per program type**
  - **Costs per program type**
  - **Estimates per program type**
  - **Business Models per program type**

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Market Research Demographics

- 43 contacts by mail/telephone

- 26 Nov 01 thru 3 Dec 01

- 30 US, 12 Europe

- IT and Telecom sectors

  - LMAN, VHDL, HLA, SWE, etc

- IEEE-SA staff and leadership

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Market Research Findings

Use IEEE in company literature	N=19
Value use of IEEE name	N=19
Perceive Misuse of IEEE name	N=18
Support certification program	N=20
Would use certification program	N=12
Interested in independent test suite	N=21
Support IEEE as Certification Authority	N=23
Want mark and test report	N=16
See IEEE role as problematic	25%

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Standards Inventory

- Most (800) of our standards contain language requiring "compliance", "conformance", or compatibility with the standard

- Use of the language is inconsistent

- IT and telecom standards include Implementation Conformance Statements

- Indicates needs for guidance in proper use and interpretation of terms in standards.

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Preferred Program Types

- **Group Interoperability (IOP)Test**
  - Third party certification based on independent tests and group test events where vendors demonstrate IOP

- **Reference Interoperability (IOP)Test**
  - Vendor self test thru use of reference pool products or servers under the control of the Certification Authority

- **Vendors Self-test**
  - Vendor self test and submittal to Certification Authority

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Pre-Assessment Questionnaire

- To assist in deciding on form and needs of a specific program

- To assist in responding to inquiries for "conforming to IEEE standards"

- To define the parameters and business model for a specific program

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Recommendations

- Put in place an joint oversight committee
- Agreement between ISTO and SA to address professional services and licensing IEEE marks
- Send out communication to address concerns
- Develop Business Plans for each program
- Develop Guidelines for terms use by WGs
- Expand research to other technologies

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Summary

There is a role for IEEE!

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- **Any Questions?**

- **Discussion**

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Trademark Usage/Conformance Statement Policy

- Q1) Why do I need to use the ™ or ® when using IEEE trademarks?

- Many people are not aware that the number designations associated with our standards products, such as 1512, 488, etc. are considered trademarks of the IEEE. Given that these marks have what is called 'secondary meaning' and are associated with a specific product, they are considered trademarks. Some of these marks, e.g. POSIX® and 802® are officially registered with the U.S. Patent and Trademark Office. Federal, state and common law requires that trademark owners ensure that their marks are properly used or, they risk losing the secondary meaning behind the mark, causing the mark to fall within the public domain.

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Trademark Usage/Conformance Statement Policy

- Q2: Why is it necessary to use the trademark symbols in every mention within a standard?

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-       A.   The IEEE decided to use the symbols in every instance within a standard due to the fact that users quite often excerpt portions of standards. If we did not use the symbols in every instance, we could not be sure that our marks would be recognized as IEEE trademarks when excerpted.

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Trademark Usage/Conformance Statement Policy

- Q3: Why do I need to obtain permission to use IEEE trademarks in a statement where I am claiming a product conforms/complies with an IEEE standard?

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- A.   Being that trademarks are directly associated with the trademark owner, the unregulated use of IEEE trademarks in compliance statements may cause the IEEE to open itself up to legal liability, should a product that claims conformance/compliance be, in fact, out of conformance/compliance with the standard. Therefore, the IEEE must carefully regulate who is using their name and/or marks to make such claims in the marketplace.

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Trademark Usage/Conformance Statement Policy

- Q4: Does the IEEE have a program wherein product manufacturers may obtain permission to make such conformance/compliance statements?

- A. Not at present. However, the IEEE is diligently working to establish such a program.

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- Q5: Is this new Trademark Usage/ Conformance Statement policy valid for all IEEE standards or, are just a few standards going to be effected?

- A. The IEEE Standards Board of Governors recently approved the policy for all IEEE standards. The policy shall be included within the front matter of all future IEEE standards.

- **Who do I contact to ask questions, make comments regarding the implementation of this new policy?**

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-     **A.   You may call the Manager, Standards Licensing and Contracts, Standards Activities Department at (732) 562-3804 or, via email at c.stanziola@ieee.org.**

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