IEEE P802.3 (IEEE 802.3bx) Task Force
12th August 2015
Durham, NH

Adam Healey
Chair, IEEE P802.3 (IEEE 802.3bx) TF
Vice-Chair, IEEE 802.3 Working Group

Agenda

- Introduction
- Review patent slides
- Review and approve agenda
- IEEE P802.3 ballot results
- IEEE P802.3/D3.2 comment resolution
- Review revision plan
- Future meetings

IEEE P802.3 (Revision) editorial team

Pete Anslow	Section 4 and Section 6 editor
Marek Hajduczenia	Section 5 editor
Adam Healey	Section 2 and Section 3 editor, Editor-in-chief
Valerie Maguire	Section 1 editor

Instructions for the WG Chair

The IEEE-SA strongly recommends that at each WG meeting the chair or a designee:

- **Show slides #1 through #4 of this presentation**
- **Advise the WG attendees that:**
  - The IEEE's patent policy is described in Clause 6 of the *IEEE-SA Standards Board Bylaws*;
  - Early identification of patent claims which may be essential for the use of standards under development is strongly encouraged;
  - There may be Essential Patent Claims of which the IEEE is not aware. Additionally, neither the IEEE, the WG, nor the WG chair can ensure the accuracy or completeness of any assurance or whether any such assurance is, in fact, of a Patent Claim that is essential for the use of the standard under development.

- **Instruct the WG Secretary to record in the minutes of the relevant WG meeting:**
  - That the foregoing information was provided and that slides 1 through 4 (and this slide 0, if applicable) were shown;
  - That the chair or designee provided an opportunity for participants to identify patent claim(s)/patent application claim(s) and/or the holder of patent claim(s)/patent application claim(s) of which the participant is personally aware and that may be essential for the use of that standard
  - Any responses that were given, specifically the patent claim(s)/patent application claim(s) and/or the holder of the patent claim(s)/patent application claim(s) that were identified (if any) and by whom.

- The WG Chair shall ensure that a request is made to any identified holders of potential essential patent claim(s) to complete and submit a Letter of Assurance.
- It is recommended that the WG chair review the guidance in *IEEE-SA Standards Board Operations Manual* 6.3.5 and in FAQs 14 and 15 on inclusion of potential Essential Patent Claims by incorporation or by reference.

Note: **WG** includes Working Groups, Task Groups, and other standards-developing committees with a PAR approved by the IEEE-SA Standards Board.

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(Optional to be shown)

Participants, Patents, and Duty to Inform

All participants in this meeting have certain obligations under the IEEE-SA Patent Policy.

- **Participants [Note: Quoted text excerpted from IEEE-SA Standards Board Bylaws subclause 6.2]:**
  - **"Shall inform the IEEE (or cause the IEEE to be informed)" of the identity of each "holder of any potential Essential Patent Claims of which they are personally aware" if the claims are owned or controlled by the participant or the entity the participant is from, employed by, or otherwise represents**
  - **"Should inform the IEEE (or cause the IEEE to be informed)" of the identity of "any other holders of potential Essential Patent Claims" (that is, third parties that are not affiliated with the participant, with the participant's employer, or with anyone else that the participant is from or otherwise represents)**
- **The above does not apply if the patent claim is already the subject of an Accepted Letter of Assurance that applies to the proposed standard(s) under consideration by this group**
- **Early identification of holders of potential Essential Patent Claims is strongly encouraged**
- **No duty to perform a patent search**

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Patent Related Links

All participants should be familiar with their obligations under the IEEE-SA Policies & Procedures for standards development.

Patent Policy is stated in these sources:

IEEE-SA Standards Boards Bylaws

http://standards.ieee.org/develop/policies/bylaws/sect6-7.html#6

IEEE-SA Standards Board Operations Manual

http://standards.ieee.org/develop/policies/opman/sect6.html#6.3

Material about the patent policy is available at

http://standards.ieee.org/about/sasb/patcom/materials.html

If you have questions, contact the IEEE-SA Standards Board Patent Committee Administrator at patcom@ieee.org or visit http://standards.ieee.org/about/sasb/patcom/index.html

This slide set is available at https://development.standards.ieee.org/myproject/Public/mytools/mob/slideset.ppt

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Call for Potentially Essential Patents

- If anyone in this meeting is personally aware of the holder of any patent claims that are potentially essential to implementation of the proposed standard(s) under consideration by this group and that are not already the subject of an Accepted Letter of Assurance:

  - Either speak up now or
  - Provide the chair of this group with the identity of the holder(s) of any and all such claims as soon as possible or
  - Cause an LOA to be submitted

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Other Guidelines for IEEE WG Meetings

- **All IEEE-SA standards meetings shall be conducted in compliance with all applicable laws, including antitrust and competition laws.**

  - **Don't discuss the interpretation, validity, or essentiality of patents/patent claims.**

  - **Don't discuss specific license rates, terms, or conditions.**

    - Relative costs, including licensing costs of essential patent claims, of different technical approaches may be discussed in standards development meetings.

      - Technical considerations remain primary focus

  - **Don't discuss or engage in the fixing of product prices, allocation of customers, or division of sales markets.**

  - **Don't discuss the status or substance of ongoing or threatened litigation.**

  - **Don't be silent if inappropriate topics are discussed … do formally object.**

See *IEEE-SA Standards Board Operations Manual*, clause 5.3.10 and "Promoting Competition and Innovation: What You Need to Know about the IEEE Standards Association's Antitrust and Competition Policy" for more details.

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Agenda Motion

- Motion #1: Approve the agenda
  - M: Donahue   S: Klempa
  - Passes by voice vote without opposition

Ballot results

- IEEE P802.3/D3.2 2st Sponsor ballot recirculation
  - Opened 21 July 2015
  - Closed 5 August 2015

	D3.0				D3.1				D3.2			
	Count	%		Status	Count			Status	Count	%		Status
		Actual	Req'd			Actual	Req'd			Actual	Req'd	
Abstain	11	8	< 30	PASS	9	6	< 30	PASS	9	6	< 30	PASS
Disapprove	6	-	-	-	0[b]	-	-	-	0	-	-	
Disapprove w/o comment	0	-	-	-	0	-	-	-	1	-	-	
Approve	117	95	≥ 75	PASS	128	100	≥ 75	PASS	133	100	≥ 75	PASS
Ballots returned	134	83	≥ 75	PASS	137	85	≥ 75	PASS	143	89	≥ 75	PASS
Voters	160	-	-	-	160	-	-	-	160	-	-	
Comments	109[a]	-	-	-	12[c]	-	-	-	4	-	-	

[a] Includes 5 comments received after ballot closed.

[b] Two ballots "flipped" after ballot closed.

[c] Includes 3 comments received after ballot closed.

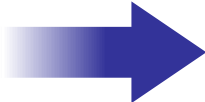# IEEE P802.3/D3.2 comment resolution

Comment responses motion

- Approve the responses to comments received against IEEE P802.3/D3.2 as recorded in <http://www.ieee802.org/3/bx/comments/P8023-D3p2-Comments_Proposed_byID.pdf>

- M: Noseworthy   S: Donahue
- Technical (>= 75%)
- Y: 3, N: 0, A: 0
- Passes

Updated revision schedule

11/8/2014	WB opens		**6/16/2015**	SB-r1 opens
12/11/2014	WB closes		**7/1/2015**	SB-r1 closes
12/23/2014	Ad hoc teleconference #1		**7/13/2015**	Maintenance TF meeting
1/8/2015	Ad hoc teleconference #2		**7/17/2015**	Conditional approval for RevCom submittal
1/14/2015	Maintenance TF meeting		**7/20/2015**	SB-r2 opens
2/7/2015	WB-r1 opens		**7/24/2015**	RevCom submittal deadline
2/21/2015	WB-r1 closes		**8/4/2015**	SB-r2 closes
3/9/2015	Maintenance TF meeting	→	**8/12/2015**	Maintenance TF meeting
3/13/2015	SB approval		**9/2/2016**	RevCom meeting
3/25/2015	SB opens			
4/24/2015	SB closes			
5/21/2015	Maintenance TF meeting			

Future meetings

- 15th September 2015
  - Bonita Springs, FL USA (hosted by NEC)

Adjourn

Revision project web and reflector

- IEEE P802.3 (IEEE 802.3bx) Task Force web site
  - http://www.ieee802.org/3/bx/

- IEEE P802.3 (IEEE 802.3bx) Task Force private area
  - http://ieee802.org/3/private/maint/bxballot/index.html
  - Username: XXXX
  - Password: XXXXXXX

- Reflector is the IEEE 802.3 Maintenance reflector
  - stds-802-3-maint@ieee.org