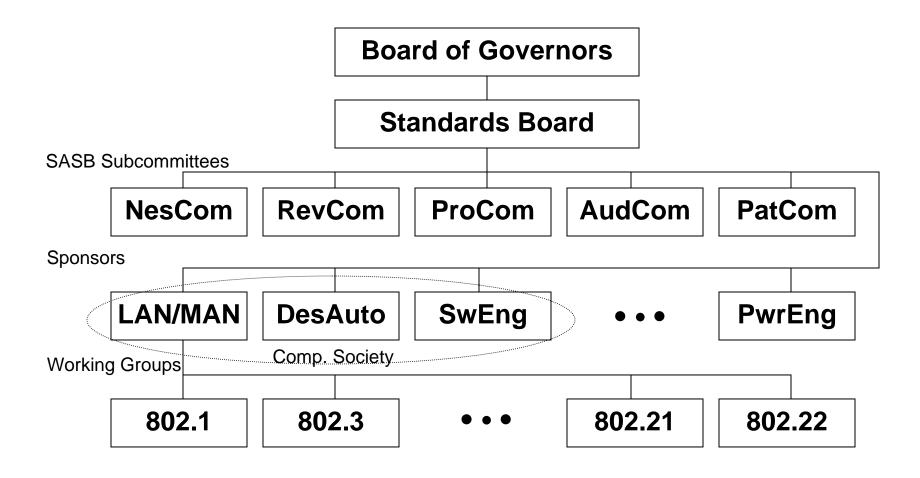# Overview of IEEE-SA Process and Patent Policy Changes

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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
  - Implementation – IEEE-SA Standards Board Operations Manual

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