

# IEEE Standards Association Operations Manual

## 6.3 Membership privileges

### 6.3.1 Balloting

IEEE-SA members are permitted to ballot on an unlimited number of proposed IEEE draft standards and on the **withdrawal from active status** of existing IEEE standards that have reached the Sponsor ballot stage (see clause 5.4 of the *IEEE-SA Standards Board Operations Manual*). Individual IEEE-SA members are permitted to ballot on individual ballots. IEEE-SA entity members are permitted to ballot on entity ballots.

## IEEE-SA Standards Board Bylaws

### 2.2 Purpose of IEEE standardization

IEEE standards provide a common ground for communication in some specific area of electrotechnology. They also provide criteria for measuring the acceptable performance of equipment or materials pertinent to the field of electrotechnology.

The purpose of the review by the IEEE-SA Standards Board is to ensure that IEEE standards represent a consensus of interests from those that are materially affected by these standards and that proper procedures have been followed during the development of these standards.

**An active IEEE standard gives an authoritative reference that is kept up to date through review at least every ten years by the Sponsor responsible for its preparation.**

### 4.2.3 Standards Review Committee (RevCom)

#### 4.2.3.1 Scope

**This committee shall be responsible for reviewing proposals for the approval of new and revised standards and for withdrawal from active status (see *IEEE-SA Standards Board Operations Manual* 9.2) of existing standards to ensure that the proposals represent a consensus of the members of the official IEEE Sponsor balloting group. The committee shall routinely examine submittals to ensure that all applicable requirements of the *IEEE-SA Standards Board Operations Manual* have been met and make recommendations to the IEEE-SA Standards Board regarding their approval.**

## 5 IEEE-SA Standards Board procedures and responsibilities

### 5.1 Transaction of business

Regular meetings of the IEEE-SA Standards Board shall be held quarterly, in accordance with a schedule approved at the first meeting of each year. Special meetings may be called, when deemed necessary, by the Chair or at the request of five members.

Unless otherwise provided in the *IEEE Certificate of Incorporation*, the *IEEE Constitution*, the *IEEE Bylaws*, or the New York Not-For-Profit Corporation Law, the vote of a majority of the voting members of the IEEE-SA Standards

Board present at the time of the vote, if a quorum is present at such a time, shall be the act of the IEEE-SA Standards Board.

Approval of proposed IEEE standards, or **transfer to inactive status** of such standards, shall require affirmative votes by at least 75% of the voting members present at the time of the vote, if a quorum is present. Except as otherwise specified in these bylaws, meetings of the IEEE-SA Standards Board shall be run in accordance with the parliamentary procedures of *Robert's Rules of Order* (latest edition).

### **5.2.5 Notification of action on standards**

Following each meeting of the IEEE-SA Standards Board, the IEEE Standards Department shall issue a statement, available to all interested parties, which shall detail the actions taken at the last meeting of the IEEE-SA Standards Board on approval **of or transfer to inactive status of, standards documents**; and authorization of new standards projects. This may be in the form of the minutes of the IEEE-SA Standards Board meeting.

## **5.3 Review cycles**

**All IEEE standards should be reviewed as often as new information is available. Every year, the Secretary of the IEEE-SA Standards Board shall notify the standards liaison representative of the Sponsor of all active standards assigned to the Sponsor, the dates that such standards are scheduled to expire, and a reminder to consider such standards for revision.**

## **6 Patents**

### **6.2 Policy**

IEEE standards may be drafted in terms that include the use of Essential Patent Claims. If the IEEE receives notice that a [Proposed] IEEE Standard may require the use of a potential Essential Patent Claim, the IEEE shall request licensing assurance, on the IEEE Standards Board approved Letter of Assurance form, from the patent holder or patent applicant. The IEEE shall request this assurance without coercion.

The Submitter of the Letter of Assurance may, after Reasonable and Good Faith Inquiry, indicate it is not aware of any Patent Claims that the Submitter may own, control, or have the ability to license that might be or become Essential Patent Claims. If the patent holder or patent applicant provides an assurance, it should do so as soon as reasonably feasible in the standards development process once the PAR is approved by the IEEE-SA Standards Board. **This assurance should be provided prior to the Standards Board's approval of the standard.** An asserted potential Essential Patent Claim for which an assurance cannot be obtained (e.g., a Letter of Assurance is not provided or the Letter of Assurance indicates that assurance is not being provided) shall be referred to the Patent Committee.

A Letter of Assurance shall be either:

- a) A general disclaimer to the effect that the Submitter without conditions will not enforce any present or future Essential Patent Claims against any person or entity making, using, selling, offering to sell, importing, distributing, or implementing a compliant implementation of the standard; or
- b) A statement that a license for a compliant implementation of the standard will be made available to an

unrestricted number of applicants on a worldwide basis without compensation or under reasonable rates, with reasonable terms and conditions that are demonstrably free of any unfair discrimination. At its sole option, the Submitter may provide with its assurance any of the following: (i) a not-to-exceed license fee or rate commitment, (ii) a sample license agreement, or (iii) one or more material licensing terms.

Copies of an Accepted LOA may be provided to the working group, but shall not be discussed, at any standards working group meeting.

The Submitter and all Affiliates (other than those Affiliates excluded in a Letter of Assurance) shall not assign or otherwise transfer any rights in any Essential Patent Claims that are the subject of such Letter of Assurance that they hold, control, or have the ability to license with the intent of circumventing or negating any of the representations and commitments made in such Letter of Assurance.

The Submitter of a Letter of Assurance shall agree (a) to provide notice of a Letter of Assurance either through a Statement of Encumbrance or by binding any assignee or transferee to the terms of such Letter of Assurance; and (b) to require its assignee or transferee to (i) agree to similarly provide such notice and (ii) to bind its assignees or transferees to agree to provide such notice as described in (a) and (b).

This assurance shall apply to the Submitter and its Affiliates except those Affiliates the Submitter specifically excludes on the relevant Letter of Assurance.

If, after providing a Letter of Assurance to the IEEE, the Submitter becomes aware of additional Patent Claim(s) not already covered by an existing Letter of Assurance that are owned, controlled, or licensable by the Submitter that may be or become Essential Patent Claim(s) for the same IEEE Standard but are not the subject of an existing Letter of Assurance, then such Submitter shall submit a Letter of Assurance stating its position regarding enforcement or licensing of such Patent Claims. For the purposes of this commitment, the Submitter is deemed to be aware if any of the following individuals who are from, employed by, or otherwise represent the Submitter have personal knowledge of additional potential Essential Patent Claims, owned or controlled by the Submitter, related to a [Proposed] IEEE Standard and not already the subject of a previously submitted Letter of Assurance: (a) past or present participants in the development of the [Proposed] IEEE Standard, or (b) the individual executing the previously submitted Letter of Assurance.

The assurance is irrevocable once submitted and accepted and shall apply, at a minimum, from the date of the standard's approval to the date of the standard's **transfer to inactive status**.

The IEEE is not responsible for identifying Essential Patent Claims for which a license may be required, for conducting inquiries into the legal validity or scope of those Patent Claims, or for determining whether any licensing terms or conditions provided in connection with submission of a Letter of Assurance, if any, or in any licensing agreements are reasonable or non-discriminatory.

Nothing in this policy shall be interpreted as giving rise to a duty to conduct a patent search. No license is implied by the submission of a Letter of Assurance.

In order for IEEE's patent policy to function efficiently, individuals participating in the standards development process: (a) shall inform the IEEE (or cause the IEEE to be informed) of the holder of any potential Essential Patent Claims of which they are personally aware and that are not already the subject of an existing Letter of Assurance, owned or controlled by the participant or the entity the participant is from, employed by, or otherwise represents; and (b) should inform the IEEE (or cause the IEEE to be informed) of any other holders of such potential Essential Patent Claims that are not already the subject of an existing Letter of Assurance.

## **IEEE-SA Standards Board Operations Manual**

## 1.2 Types of IEEE standards

IEEE standards include but are not limited to:

- Lists of terms, definitions, or symbols, applicable to any field of science or technology within the scope of the IEEE.
- Expositions of scientific methods of measurement or tests of the parameters or performance of any device, apparatus, system, or phenomenon associated with the art, science, or technology of any field within the scope of the IEEE.
- Characteristics, performance, and safety requirements associated with devices, equipment, and systems with engineering installations.
- Recommendations reflecting current state-of-the-art in the application of engineering principles to any field of technology within the scope of the IEEE.

IEEE standards are classified as:

- *Standards*: documents with mandatory requirements.<sup>1</sup>
- *Recommended practices*: documents in which procedures and positions preferred by the IEEE are presented.
- *Guides*: documents in which alternative approaches to good practice are suggested but no clear-cut recommendations are made.
- *Trial-Use documents*: publications in effect for not more than two years. They can be any of the categories of standards publications listed above. (See 5.7.)

The IEEE standards development process may result in one or more of the following documents:

- *New*: A document that does not replace or modify another standard.
- *Revision*: A document that updates and replaces (i.e., supersedes) an existing IEEE standard in its entirety.
- *Amendment*: A document that contains new material to an existing IEEE standard and may contain technical corrections to that standard.
- *Corrigendum*: A document that only contains technical corrections to an existing IEEE standard.
- *Erratum*: A document that contains only grammatical corrections to, or errors introduced during the publishing process of, an existing IEEE standard.

IEEE Standards Project Editors can assist Sponsors in determining whether an amendment or revision is appropriate.

IEEE Standards may be in one of three states of activity:

- *Developing*: Standards projects that have not yet been approved as standards.

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<sup>1</sup>Mandatory requirements are generally characterized by use of the verb “shall,” whereas recommended practices normally use the word “should.” See the *IEEE Standards Style Manual* for further information.

— **Active:** Approved standards that have not been transferred to inactive status.

— **Inactive:** Standards that are no longer being reviewed or assessed for accuracy, relevance to current practices, or further applications; these standards are removed from active status (i.e., these standards are transferred from active to inactive status). (See 9.2).

#### 4.1.2 Liaison representatives

The Secretary of the IEEE-SA Standards Board shall circulate the following information to the liaison representatives for review and action:

- a) *Each IEEE Project Authorization Request (PAR) submitted for approval.* The liaison representative is expected to review each request to see if his or her organization has a substantial interest in the project.
- b) *Agenda for each IEEE-SA Standards Board meeting.* This should be reviewed to determine if there is any item on the agenda of substantial interest to the organization. The liaison member should be present, if necessary, to support the interests of the organization.
- c) *Minutes of meetings of the IEEE-SA Standards Board.* This shall include action taken on PARs and draft standards.
- d) *Notice of assignment of a standards project.* When the IEEE-SA Standards Board, on its own initiative, agrees on the need for a standard, a request to develop the standard shall be sent to the liaison representative of the Society and/or the Standards Coordinating Committee (SCC) having primary interest in the subject. The liaison representative is expected to assign the project to the appropriate technical unit as Sponsor for the development of the standards project.
- e) *Status Reports.* The liaison representative shall review any sections of the project reports that may be assigned to his or her organization and notify the Secretary of the IEEE-SA Standards Board of any corrections and revisions. The liaison representative should ensure that action is taken to revise all standards assigned to the Society within ten years of the date of approval. The liaison representative should monitor work being done on all standards projects and report any changes in the status of the standards to the Secretary of the IEEE-SA Standards Board.

#### 5.4.1 Balloting group

The balloting group shall meet the criteria in subclause 5.2.2.3 of the *IEEE-SA Standards Board Bylaws*. Balloting group members have an obligation to respond during the balloting period; failure to return a ballot may disqualify the balloter from participation in future balloting groups. The balloting group shall provide for the development of consensus by all interests significantly affected by the scope of the standard. This is achieved through a balance of such interests in the balloting group membership. Balance is defined as the avoidance of dominance by any single interest category.

No balloter shall have more than one vote.

The *IEEE-SA Standards Board Bylaws* allow for the participation of invited individual experts in ballots of specific standards projects upon approval of the IEEE-SA Standards Board. An invited individual expert is a non-IEEE-SA member who has been invited by a Sponsor to ballot on a specific standards project for the purpose of providing his or her technical expertise to improve the quality of that document. The Sponsor shall provide the following

information to the IEEE-SA Standards Board when requesting the participation of an invited individual expert in a particular balloting group:

- a) A rationale as to why the invited individual expert is needed
- b) Brief background information on each invited individual expert, including qualifications
- c) A statement explaining the detrimental impact if the invited individual expert does not participate
- d) The total number of individual experts invited to participate in this balloting group
- e) The contact information for the individual

Upon approval by the IEEE-SA Standards Board, an invited individual expert is entitled to the same balloting privileges as an IEEE-SA member for the specified standards project.

Balloters are required to classify their relationship to the balloting group relative to the scope of standards activity (for example, producer, user, and general interest). Where appropriate, additional classifications, such as “testing laboratory” or “academic,” may be added by the Sponsor. This decision should be based on the effect the standard may have on participants not already recognized by the primary classifications. Individuals classify themselves based on their technical background, which may be related to their employment, job functions, or experience. IEEE-SA entity balloters are classified based on their entity interest as it relates to the scope of the standards project (for example, producer, consumer, general interest). No group (classification) is permitted to constitute 50% or more of the balloting group membership. Care shall be taken to ensure that all classes of interest are represented to the extent possible.

It is desirable to have representation of the materially interested and affected parties when reviewing the balance of the balloting group. Sponsors shall ensure balance prior to conducting a Sponsor ballot. Balloting groups of individuals should have at least 10 members to ensure adequate balance.

Interested or affected persons who pay the appropriate fees associated with voting privileges may join the balloting group for a specific standards project. Once the ballot has begun, the balloting group is closed to additional participants. Even if IEEE-SA membership status changes during the balloting period or recirculation period, there shall be no change to the voting status of the balloter with respect to that ballot.

Persons may also purchase the ballot draft for information only. Such persons may submit comments on the draft within the balloting period. However, they may not vote to approve, disapprove, or abstain on the proposed standard, nor are they entitled to receive any material other than the revised draft and responses to their comments.

Comments from persons who are not members of the balloting group shall be given due consideration and an appropriate response.

## **5.6.2 Process for adoption of non-IEEE Standards**

### **5.6.2.1 Sponsor identification**

A Sponsor, as defined by subclause 5.2.2 of the *IEEE-SA Standards Board Bylaws*, shall assume responsibility for coordinating the adoption of a non-IEEE standard by the IEEE. The Sponsor shall be responsible for the standard upon adoption and until **transfer to inactive status** in accordance with all IEEE Standards policies and procedures.

## 5.7 Trial-Use standards

Trial-Use standards are effective for not more than two years from the date of publication. In the absence of comments received in the trial period, the document is subject to adoption as a full-status standard by the IEEE-SA Standards Board upon recommendation of the Sponsor. Trial-Use standards shall contain a published scheduled cutoff date for receipt of comments and for further revision and approval action. This cutoff date shall be at least six months before the end of the trial-use period for the standard.

The approval period for a trial-use standard that is adopted as a full-status standard without change shall be for a total of **ten** years from the start of the trial-use period. If the trial-use period demonstrates that a trial-use standard has to undergo changes to become a full-status standard, a PAR for revision of an existing standard shall be prepared.

Trial-Use standards may result from one of the following:

- a) *At the Standards Development Level.* When a draft has been generated that generally satisfies the standards-developing group (i.e., subcommittee or working group) but needs input from a very broad constituency, such a draft may be processed as an IEEE Trial-Use Standard. For approval, such a draft requires a letter ballot of the Sponsor and approval by the IEEE-SA Standards Board as a trial-use standard.
- b) *At the Sponsor Level.* When a Sponsor is unable to resolve negative ballots to a satisfactory level, or uncertain aspects of the document justify preliminary distribution, it may consider submission of the draft to the IEEE-SA Standards Board as a trial-use standard.
- c) *At the IEEE-SA Standards Board Level.* When the IEEE-SA Standards Board cannot attain a suitable level of approval for a draft submitted for adoption as an IEEE Standard, it may decide to approve it as a trial-use standard.

## 6.3 Patents

### 6.3.3 Inactive standards

All active IEEE standards are subject to periodic review for revision within ten years of IEEE-SA Standards Board approval or transfer to inactive status (see clauses 2.2 and 5.3 of the *IEEE-SA Standards Board Bylaws* and 9.2). Thus, any standard that incorporates patented technology may at some point in time be transferred to inactive status. Clause 6 of the *IEEE-SA Standards Board Bylaws* contains policies concerning the period of validity for any Letter of Assurance received from a party regarding an Essential Patent Claim.

### 8.1.2 Amendments and corrigenda

Amendments and corrigenda are independent projects and are processed with separate PARs and balloted independently in accordance with the requirements of these procedures, including submission to the IEEE-SA Standards Board.

All amendments and corrigenda shall follow the style conventions for indicating changes defined in the *IEEE Standards Style Manual* (see clause 21 and annex C of that document).

Sponsor ballots of amendments and corrigenda shall also include access to the approved base standard and any approved amendments and corrigenda in order to provide sufficient information to the ballot group.

Up to three amendments can be approved before the standard shall be revised, unless the base standard has been approved within the past three years. In such a case, multiple amendments may be added until the base standard is three years old. After the three-year period, RevCom shall defer consideration of additional amendments or corrigenda until a revision or a two-year extension request is approved by the IEEE-SA Standards Board.

If, for any extenuating circumstances, an exception to these rules is required, the Sponsor shall take its request for a two-year extension to RevCom. A project plan outlining the rationale for the request, as well as a schedule for the revision, also shall be submitted. RevCom will review the request and make a recommendation to the IEEE-SA Standards Board.

During the two-year extension period, Sponsors can submit additional amendments and corrigenda for approval consideration. However, after this period, RevCom shall defer consideration of additional amendments or corrigenda until a revision is approved by the IEEE-SA Standards Board.

## **9. Review of IEEE standards**

### **9.1 Revision**

The Sponsor should initiate revision of a standard whenever any of the material in the standard (including all amendments, corrigenda, etc.) becomes obsolete or incorrect, or if three or more amendments to a base standard exist three years after its approval. The Sponsor may initiate revision of a standard when new material becomes available and normal evaluation of need and feasibility indicates revision is warranted. The procedure for revising a standard is the same as for developing a new standard. A revision shall encompass the cumulative scope of the project (including all approved amendments and corrigenda).

In a revision, balloters may register objections to any part of the standard, as the revision process opens the entire document to comment. (The amendment process shall be used when new material and possibly corrections of a limited scope are proposed.)

The draft revision document submitted to the IEEE-SA Standards Board shall be a complete version of the revised document. A complete document shall include both the changed and the unchanged text, with balloted changes incorporated into the document.

When a standard is revised, its approved amendments and corrigenda shall be removed from active status as separate documents. Existing amendments and corrigenda shall either be integrated into the base document or eliminated as indicated in the PAR or determined by the Sponsor balloting process.

#### **9.1.1 American National Standards**

For those IEEE Standards that are also American National Standards, the Sponsor should initiate a revision prior to the standard's fifth anniversary of approval as an American National Standard (ANS) in order to keep the standard from being withdrawn by ANSI. If this does not occur, the Sponsor can provide a rationale for extension to the RevCom Administrator, who will communicate the request to ANSI. The request for an extension of time shall be submitted to ANSI prior to the thirtieth day following the fifth anniversary of approval as an ANS. A request for extension shall provide the schedule of work that will lead to revision.

### **9.2 Removal from active status**

Standards that are no longer useful or contain significant obsolete or erroneous information should be recommended for withdrawal from active status by the Sponsor. A recommendation for withdrawal from active status shall be supported by a ballot by the Sponsor (see 5.4) with a 50% return and at least a 75% approval.

Every IEEE Standard shall be subject to transfer to inactive status by the IEEE-SA Standards Board at the end of the calendar year that is ten years past its approval date (i.e., the standard will be labeled *Inactive* and reserved for historical reference).

A standard remains active until it is officially transferred to inactive status by the IEEE-SA Standards Board. When a standard is transferred to inactive status, its amendments and corrigenda are also transferred to inactive status. After a standard is transferred to inactive status, the Sponsor is no longer obligated to respond to interpretation requests concerning it.

**RATIONALE:**

The procedural changes remove the reaffirmation and stabilization maintenance options, and increase the life of active standards to ten years. Approved standards will now be labeled as either Active or Inactive.