

**IEEE SA STANDARDS BOARD PROCEDURES COMMITTEE (ProCom)**

**MEETING MINUTES**

**24 March 2021**

**12:00 p.m. – 1:00 p.m. UTC**

**Teleconference/Webex**

**Attendees**

**Members Present:**

Doug Edwards  
Travis Griffith  
John Kulick, Chair  
David Law  
Kevin Lu  
Damir Novosel  
Annette Reilly  
Dorothy Stanley  
Sha Wei

**Members Absent:**

None

**IEEE Staff:**

Kim Breifelder  
Matthew Ceglia  
Karen Evangelista  
Jonathan Goldberg  
Yvette Ho Sang  
Konstantinos Karachalios  
Soo Kim  
Michael Kipness  
Vanessa Lalitte  
Kristin Little  
Kelly Lorne  
Erin Morales  
Ashley Moran  
Mary Lynne Nielsen  
Christian Orlando  
Lisa Perry  
Dave Ringle, Administrator  
Pat Roder

Jennifer Santulli  
Rudi Schubert  
Alpesh Shah  
Tom Thompson  
Michelle Turner  
Lisa Weisser  
Malia Zaman

**IEEE Outside Legal Counsel:**

Claire Topp

**Guests:**

Michael Atlass  
Evelyn Chen  
Hadjan Doucoure  
Keith Flowers  
Scott Gilfillan  
Latonia Gordon  
Gary Hoffman  
Taras Holoyad  
Hung Ling  
Xiaohui Liu  
Keith Moore  
Glenn Parsons  
Robby Robson  
Jon Rosdahl  
Matteo Sabattini  
Lachlan Scully  
Don Wright

1 CALL TO ORDER

Chair Kulick called the meeting to order at 12:03 p.m. UTC.

Chair Kulick welcomed all of the attendees.

Dave Ringle reviewed [meeting decorum](#).

2 INTRODUCTIONS

There was a round of introductions by all present.

It was noted that the meeting was quorate.

3 APPROVAL OF AGENDA

**There was a motion to approve the agenda. In the absence of objection, the motion was approved.**

4 APPROVAL OF THE [01 DECEMBER 2020 ProCom MINUTES](#)

**There was a motion to approve the 01 December 2020 meeting minutes. In the absence of objection, the motion was approved.**

5 OLD/UNFINISHED BUSINESS

None.

6 NEW BUSINESS

6.1 [Proposed Updates](#) to SASB OpMan RE: Commercial Terms and Conditions – Ho Sang

Yvette Ho Sang and Claire Topp reviewed the proposed updates to the *IEEE SA Standards Board Operations Manual* (SASB OpMan) and the information in the ProCom change request form.

There was discussion on the proposed updates, and suggestions for creation of additional materials (e.g., FAQs).

**There was a motion to recommend the *IEEE SA Standards Board Operations Manual* changes noted below to the SASB for approval consideration via a 30-day email ballot. The motion was approved. [Vote: Yes=7, No=1, Abstain=0]**

**IEEE SA Standards Board Operations Manual**

**6.2 Commercial terms and conditions**

~~Provisions involving business relations between buyer and seller such as guarantees, warranties, and other commercial terms and conditions shall not be included in an IEEE standard. The appearance that a standard endorses any particular products, services, or companies shall be avoided. Therefore, it generally is not acceptable to include manufacturer lists, service provider lists, or similar material in the text of an IEEE standard. Where a sole source exists for essential equipment, materials, or services necessary to comply with or to determine compliance with the standard, it is permissible to supply the name and address of the source in a footnote as long as the words “or the equivalent” are added to the reference. In connection with standards that relate to~~

the determination of whether products or services conform to one or more standards, the process or criteria for determining conformity can be standardized as long as the description of the process or criteria (a) is limited to technical or engineering concerns and does not include what would otherwise be a commercial term, and (b) does not provide for testing conformance with any commercial terms.

Except as otherwise permitted by this *IEEE SA Standards Board Operations Manual*, IEEE standards shall not include terms or conditions that are primarily contractual or commercial in nature, as opposed to technical, engineering or scientific in nature. Thus, for example, an IEEE standard shall not include contractual requirements (see 6.2.1); endorse or require the use of proprietary products or services (see 6.2.2); or endorse or require the use of particular conformity-assessment bodies, testing facilities, or training organizations (see 6.2.3).

### **6.2.1 Contractual requirements**

Except as provided below, IEEE standards shall not include contractual requirements such as those relating to particular products or services, guarantees, warranties, reworks, indemnities, buybacks, price-related terms, and other conditions of sale or use.

### **6.2.2 Endorsements of proprietary products or services**

IEEE standards shall not endorse or require the purchase or use of proprietary products or service providers as a condition of implementing the standard. Proprietary in this context means products or services that are the property of an owner and cannot be obtained or recreated without the consent of the owner. For example, an IEEE standard may not endorse or require the purchase or use of brand-name tools or components, licenses, manufacturer lists, service provider lists, or copyrighted materials.<sup>FN</sup>

However, for informational purposes, where known sources exist for products or services necessary to comply with the IEEE standard, it is permissible, but not obligatory, to identify the sources (which may include a source's name and address) in a footnote, an appendix, or reference to a website. The referenced products or services shall be reasonably available from the referenced sources, the words "or the equivalent" shall be added to the reference, and the reference shall also expressly state that identification of products or services is not an endorsement of those products or services or their suppliers.

### **6.2.3 Conformity assessment, testing, and training**

In connection with IEEE standards that relate to the determination of whether products or services conform to one or more standards, the process or criteria for determining conformity may be standardized as long as the description of the process or criteria is limited to technical, engineering, or scientific concerns and does not include what would otherwise be contractual or commercial terms.

It is permissible for health, safety, or environmental protection reasons to include a generic requirement for third-party, i.e., independent, conformity assessment, testing, or training. IEEE standards shall not dictate the use or non-use of a particular conformity-assessment body, testing facility, or training organization.

However, for informational purposes, where known sources exist for products or services necessary to determine compliance with the IEEE standard, it is permissible, but not obligatory, to

identify the sources (which may include a source's name and address) in a footnote, an appendix, or reference to a website. The referenced products or services shall be reasonably available from the referenced sources, the words "or the equivalent" shall be added to the reference, and the reference shall also expressly state that identification of sources is not an endorsement of those sources.

<sup>FN</sup> The term "copyrighted materials" is not intended to include: (a) manufacturers' instruction/safety manuals; or (b) third-party standards, when such documents are incorporated by reference into the text of an IEEE standard for non-commercial technical or safety-related purposes, as long as such references do not otherwise violate other provisions of the Commercial Terms and Conditions Policy (e.g., they cannot also include warranties, guarantees, and like commercial clauses).

## 6.2 [Proposed Updates](#) to SASB OpMan RE: Standards Committee Mandatory Requirements – Ceglia

Matthew Ceglia introduced the proposed updates to the SASB OpMan.

There was support, in principle, from ProCom.

An ad hoc group will be formed to review the ProCom change request form and to make necessary updates prior to resubmitting to ProCom for approval consideration.

Any ProCom Members who would like to join the ad hoc group should send an email to Chair Kulick and to Dave Ringle.

## 6.3 ProCom Conventions – Hoffman

Due to a lack of time, this item was postponed until the next ProCom meeting.

## 7 [NEXT MEETING](#)

The next ProCom meeting will be a virtual meeting and will be scheduled for the May-June timeframe.

## 8 ADJOURNMENT

There being no further business, the meeting was adjourned at 12:59 p.m. UTC.