IEEE P802.11  
Wireless LANs

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| Response to comments on IEEE 802.11ax-2021 in *60-day ballot* using the ISO/IEEE PSDO agreement | | |
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Abstract

Five NBs provided comments during the *60-day ballot* on IEEE 802.11ax-2021 under the PSDO agreement between IEEE and ISO. This document proposes responses to those comments.

R2: updates after IEEE 802 JTC1 SC meeting on 14 Sep 2021, with suggested refinements to the text from multiple contributors, and particularly from IEEE SA staff.

R3: added reference to 802.11md liaison to SC6. This version was recommended to IEEE 802.11 WG for approval by the IEEE 802 EC. The IEEE 802 deferred a decision until 5 Nov 2021.

R4: Includes edits reflecting discussion in 802 EC on 5 Oct 2021, and subsequent edits to simplify the language and clarify the logic. IEEE SA staff have reviewed this revision. IEEE 802 EC members are asked to comment on this revision before it is considered by the IEEE 802 EC on 5 Nov 2021.

R5: proposed changes respond to comments made by various IEEE 802 EC members. It has been reviewed by IEEE SA staff (including Legal)

## This Liaison Statement responds to comments during *60-day ballot* on IEEE 802.11ax-2021

ISO/IEC JTC1/SC6 held a *60-day ballot*, closing on 10 August 2021, on IEEE 802.11ax-2021 as the first part of an approval process defined by the Partner Standards Development Organization (PSDO) Cooperation Agreement between IEEE and ISO. The results of the *60-day ballot* are documented in 6N17559.

The two questions asked both received majority support from those *National Bodies* (NBs) voting *yes* or *no*, and therefore the *60-day ballot* passed:

* *Do you support the need for an ISO International Standard on the subject?*
  + Approved 10/0/9
* *Do you support the submission of this proposal for FDIS ballot?*
  + Approved 6/4/9

Comments were received from the following five NBs:

* China NB
* Sweden NB
* Finland NB
* Germany NB
* Japan NB (associated with a *yes* vote on both questions)

This liaison statement from IEEE 802 LAN/MAN Standards Committee[[1]](#footnote-1) (IEEE 802) to ISO/IEC JTC1/SC6 provides responses to all the comments received during the *60-day ballot* on IEEE 802.11ax-2021.

## Response to comment CN1-003

### CN1-003 comment

*IEEE 802.11ax-2021 is an amendment to IEEE 802.11-2020. China voted against IEEE 802.11- 2020 with technical comments (see SC6N17516). At present, China's comments on IEEE 802.11-2020 have not been properly handled. For many of these comments also apply to IEEE 802.11ax, China disapprove IEEE 802.11ax submitting to the next stage*

### CN1-003 proposed change

*It is recommended to postpone the subsequent ballot on IEEE 802.11 and IEEE 802.11ax in ISO/IEC until the discovered design flaws are sufficiently resolved.*

### IEEE 802 response to CN1-003

*Reject*

As noted by the China NB, comment CN1 is essentially a reiteration of various comments submitted by the China NB during the *60-day ballot* on IEEE 802.11-2020, and documented in SC6N17516. IEEE 802 notes that responses to all these comments were provided in a previous *Liaison Statement* to ISO/IEC JTC1/SC6 (See N17600).

## Response to comment CN2-006

### CN2-006 comment

*In 2019, Mathy Vanhoef published a paper “Dragonblood: Analyzing the Dragonfly Handshake of WPA3 and EAP-pwd” in IEEE Symposium on Security and Privacy on 18-20 May 2020 in Oakland (San Francisco). (It’s free for downloading from the Internet.) This paper presents design flaws in the 802.11 standard. The design flaws can be divided in two categories. The first category consists of downgrade attacks against SAE-capable devices, and the second category consists of weaknesses in the Dragonfly handshake of recover the password of the WLAN network, launch resource consumption attacks, and force devices into using weaker security groups.*

### CN2-006 proposed change

*It is recommended to postpone the subsequent ballot on IEEE 802.11 and IEEE 802.11ax in ISO/IEC until the discovered design flaws are sufficiently resolved.*

### IEEE 802 response to CN2-006

*Reject*

Changes to the IEEE 802.11 standard were proposed in 2019 (see [11-19/1173r15](https://mentor.ieee.org/802.11/dcn/19/11-19-1173-15-000m-pwe-in-constant-time.docx) for more details) to produce a constant-time generation of the *secret* used in SAE as well as to prevent downgrade attacks. The changes resulting from that modification make SAE resistant to the *Dragonblood* attacks described in the referenced 2020 paper. These changes are already part of the IEEE 802.11-2020 standard and are therefore included the IEEE 802.11ax-2021 amendment considered in the *60-day ballot*. This comment is not a reason to delay balloting because the so called "design flaws" have already been addressed.

## Response to comments SE-001/FI-002/JP1-004/DE-005

### Comments

Please refer to SE-001, FI-002, JP1-004 and DE-005 in SC6N17559 for the text of the comments from the Sweden, Finland, Japan and Germany NBs.

### Proposed changes

Please refer to SE-001, FI-002, JP1-004 and DE-005 in SC6N17559 for the text specifying the proposed changes from the Sweden, Finland, Japan and Germany NBs.

### IEEE 802 response

*Reject*

Four *National Bodies* (Germany, Sweden, Finland and Japan NBs) highlighted various issues related to patent rights in the *60-day ballot* on IEEE Std 802.11ax-2021 that was conducted under the PSDO agreement. Generally, the comments require IEEE 802 to draw attention to patent rights of which it is aware in relation to IEEE Std 802.11ax-2021. Some of the comments also asserted that fast tracking under the PSDO agreement cannot proceed unless existing *negative*[[2]](#footnote-2) *Letters of Assurance* submitted to IEEE Standards Association (IEEE SA) in relation to *802.11ax* are replaced with *positive[[3]](#footnote-3)* *Letters of Assurance.*

IEEE 802’s responsibility under the *JTC1 Directives* is to *draw the attention of the committee* (SC6 in this case) *to any patent rights of which the proposer* (IEEE 802 in this case) *is aware and considers to cover any item of the proposal* [clause 2.14.2 a)]. IEEE 802 believes it has fulfilled this responsibility in relation to the submission of IEEE Std 802.11ax-2021 for consideration under the PSDO agreement, as described below.

IEEE SA has published the four negative *Letters of Assurance* that have been submitted in relation to IEEE Std 802.11ax-2021. They are available for consideration by ISO and other interested parties via <https://standards.ieee.org/about/sasb/patcom/patents.html>. One of the negative *Letters of Assurance* is not relevant in the context of this response because the submitter subsequently provided a positive *Letter of Assurance* in relation to *802.11ax*. The three relevant *Letters of Assurance* state that the submitter *may own, control, or have the ability to license Patent Claims that might be or become Essential Patent Claims* (in relation to *802.11ax*). The *Letters of Assurance* indicate the possibility of potential *Patent Claims* relevant to *802.11ax* but do not make definitive assertions of any *Patent Claims*. In addition, none of the *Letters of Assurance* identify any specific *patent rights.* Even if the *Letters of Assurance* identified specific *patent rights*, a position on whether they *cover any item* in IEEE Std 802.11ax-2021 is never taken by IEEE 802 because, as noted in the IEEE SA’s *Letter of Assurance* form, *IEEE takes no position with respect to the validity or essentiality of Patent Claims.* IEEE SA’s policy in this respect is also documented in the *IEEE SA Standards Board Bylaws* [clause 6.2]. On this basis, while IEEE 802 is aware of the possibility of potential *Patent Claims* noted in the three relevant *Letters of Assurance*, IEEE 802 is unable to conclude there are any *patent rights* of which IEEE 802 (as *proposer*) *is aware* that it *considers to cover any item of the proposal* (i.e., IEEE Std 802.11ax-2021).

Based on the analysis in the previous three paragraphs (and noting both questions in the *60-day ballot* exceeded the required majority threshold), IEEE 802 believes there is no reason for the approval process for fast tracking of IEEE Std 802.11ax-2021 under the PSDO agreement not to proceed as normal. The next step in the normal approval process is an *FDIS ballot*.

ISO policies related to IPR are generally focused on ensuring that any essential patent rights on ISO standards are available under RAND terms. The *JTC1 Directives* support this focus, both during the standards development/approval process and afterwards. For example, the *JTC1 Directives* specify [clause 2.14.3] further consideration by ISO is required if patent rights are identified that *appear* to cover elements of a published standard cannot be obtained on RAND terms. The NBs’ comments during the *60-day ballot* on IEEE Std 802.11ax-2021, particularly those asking for positive *Letters of Assurance* before ISO fast tracking of IEEE Std 802.11ax-2021, also seem to be aligned with this focus. If ISO has any concerns about the possibility that anyone (including the submitters of the three relevant *Letters of Assurance)* might have *patent rights* covering any portion of IEEE Std 802.11ax-2021then one option to mitigate these concerns is for ISO to issue requests for IPR declarations under ISO’s IPR policies. One potential benefit of this approach is that it would put ISO in a position to consider any refusals to provide access to patent rights under RAND terms based on information consistent with the requirements for an *ISO Type 3 Declaration* in the *Guidelines for Implementation of the Common Patent Policy for ITU‑T/ITU‑R/ISO/IEC.* An *ISO Type 3 Declaration* requires the submitter toprovide details of the patent, to specify the portion of the standard affected by the patent and to provide a description of how the patent affects the standard. None of this information is currently available for consideration by ISO based on the material in the three negative *Letters of Assurance* submitted to IEEE SA. Any requests for IPR declarations could be issued in parallel to the 5-month FDIS ballot on IEEE Std 802.11ax-2021. This would enable the technical and IPR evaluations of IEEE Std 802.11ax-2021 by ISO to occur in parallel, thus minimising unnecessary delay. Of course, whether or when ISO wants to issue such a request is a decision for ISO.

1. This Liaison Statement solely represents the views of the IEEE 802 LAN/MAN Standards Committee, and does not necessarily represent a position of IEEE or IEEE Standards Association [↑](#footnote-ref-1)
2. In this Liaison Statement, the term *negative Letter of Assurance* refers to a *Letter of Assurance* submitted to IEEE SA with option D.1.d. selected. A *positive Letter of Assurance* refers to a *Letter of Assurance* with options D.1.a, D.1.b or D.1.c selected. [↑](#footnote-ref-2)
3. ibid [↑](#footnote-ref-3)