IEEE Contribution in Response to Contribution 74 to the TSAG from Germany

Abstract

Contribution 74 (C74) to the *Telecommunication Standardisation Advisory Group* from Germany appears to propose to allow ITU-T to autonomously change the meaning of normatively referenced standards from other SDOs.

The proposal in C74 is contrary to international best practice for standards development and fails to address a variety of practical issues. In particular, the acceptance of the proposal in C74:

- Will result in the duplication & inconsistency of standards
- Does not demonstrate due respect for other SDOs and their processes
- Raises unresolved issues of copyright and intellectual property

IEEE proposes that ITU-T adopts a more collaborative approach to changing the meaning of normatively referenced standards by not making any changes without the consent and cooperation of the source SDO.

Discussion

C74 proposes autonomously changing the meaning of externally referenced standards

C74 to the *Telecommunication Standardisation Advisory Group* from Germany makes a number of suggestions relating to procedures for facilitating references to standards (and other documents) from other SDOs in ITU-T Recommendations.

The key conceptual suggestion is to change ITU-T procedures so that ITU-T is able to autonomously modify the meaning of normatively referenced standards (or parts of standards) developed, maintained and owned by other SDOs. The specifics of the proposed changes to the ITU-T procedures are documented in a revised *ITU-T Recommendation A.5 (Generic procedures for including references to documents of other organizations in ITU-T Recommendations)*, which is included as an attachment to Contribution 74.

The overall goal of the proposed changes is to give ITU-T's membership the latitude to make additional enhancements or restrictions based on external standards in order to more easily reach consensus within the ITU-T, but without obtaining the cooperation or consent of the developers, maintainers and owners of the normatively referenced standards.

The proposal in C74 will result in duplication & inconsistency of standards

International best practice in standards development relies on the premise that duplication of standards should be avoided whenever possible. This principle is encapsulated in ITU-T's own draft four-year Rolling Operational Plan (for the 2012-2015 timeframe). This plan emphasizes cooperation and collaboration with Sector Members and other SDOs in order to harmonize activities and avoid duplication and inconsistencies of standards. Guidelines used by ISO and IEEE promote similar principles.

Acceptance of the proposal in C74 to allow ITU-T to change the meaning of referenced external standards without the consent of the source SDO, will inevitably lead to duplication of the original standard and inconsistency between the original standard and the ITU-T version. The risk is similar if ITU-T references the whole of an external standard or only part of an external standard. Any inconsistencies will most likely be magnified as the ITU-T and source SDO independently attempt to maintain and further extend different versions in the future. The effect is likely non interoperability of products, which conflicts with the core reason for standards development.

The proposal in C74 does not demonstrate due respect for other SDOs & their processes

International best practice in standards development uses processes that take into account the views of all stakeholders. The IEEE is an example of an SDO that operates under a well-established, and widely respected, open and consensus based standards development process that embodies this principle.

In giving ITU-T the right to ignore the views and rights of SDOs that develop, maintain and own normatively referenced standards, the proposal in C74 demonstrates a lack of respect for those SDOs and their processes. Additionally, it demonstrates a lack of respect for the views and efforts of all the stakeholders that participated in these processes in good faith.

The proposal in C74 raises unresolved issues of copyright and intellectual property

The proposal in C74 properly recognises the copyright and IPR rights of other entities. For example, it requires that permission of the copyright owner is obtained before incorporating text from a normatively referenced standard into an ITU-T recommendation. It also suggests the IPR policy of other SDOs and known IPR issues must be taken into account when deciding if and how to make a normative reference to an external standard.

Unfortunately, the proposal in C74 fails to resolve many issues related to copyright and intellectual property. For example:

- The duplication of the structure of an external standard, including titles, is in itself often a violation of the copyright of the source SDO (or some other entity), unless permission is obtained from the copyright owner.
- Many attempts to modify the meaning or details of normatively referenced standards will require copying of at least small sections of text, tables, variable names, etc, which may violate the copyright of the source SDO (or some other entity).
- Any Letters of Assurance related to the IPR in the normatively referenced standard are unlikely to apply to any modified ITU-T version of the standard, meaning anyone implementing the ITU-T Recommendation is likely to have no IPR assurance.

Summary

IEEE does not support the proposed modifications to *ITU-T Recommendation A.5 (Generic procedures for including references to documents of other organizations in ITU-T Recommendations)* because of the proposal's failure to follow international best practice for standards development, including a lack of respect for the processes of other SDOs, and a variety of practical issues related to copyright and IPR.

Alternative Proposal

IEEE proposes a more cooperative approach to changing the meaning of external standards

IEEE proposes that the following alternate guidelines for normatively referenced standards be developed and incorporated as an Annex into ITU-T Recommendation A.5:

- ITU-T may extend or restrict the functionality of a standard from another SDO using existing interfaces and mechanisms in the standard that were explicitly designed to allow extending or restricting functionality.
- If there is any doubt about the availability of such interfaces and mechanisms, ITU-T should request clarification from the source SDO.
- ITU-T shall not extend or restrict the functionality of a standard from another SDO if appropriate interfaces and mechanisms explicitly designed to allow such extension or restriction are unavailable.
- ITU-T may request the source SDO to define appropriate interfaces or mechanisms in the standard if they do not exist or may request the source SDO to include new functionality or restrictions in the standard.
- ITU-T shall not normatively reference a standard from another SDO if a change in meaning in the standard is necessary and agreement cannot be obtained from the other SDO either for:
  - the standard to be modified by the other SDO to meet the needs of ITU-T

- o ITU-T to assume responsibility for ongoing development and maintenance of the external standard.

IEEE commends these guidelines to the ITU-T as a practical and pragmatic way of ensuring ITU-T can work effectively with other globally respected and recognized SDOs to ensure that all stakeholders have timely access to the best possible standards.