|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| ITU Logo | INTERNATIONAL TELECOMMUNICATION UNION  **TELECOMMUNICATION STANDARDIZATION SECTOR**  STUDY PERIOD 2017-2020 | | TSAG-C050 | | |
| **TSAG** | | |
| **Original: English** | | |
| **Question(s):** | | N/A | | Geneva, 10-14 December 2018 | |
| **CONTRIBUTION** | | | | | |
| **Source:** | | United States of America, Canada | | | |
| **Title:** | | Proposed changes to Recommendations ITU-T A.5 and ITU-T A.25 to apply to partnership projects | | | |
| **Purpose:** | | Proposal | | | |
| **Contact:** | | Franz J.G. Zichy U.S. Department of State United States of America | | | Tel: +1202-647-5778 E-mail: [zichyfj@state.gov](mailto:zichyfj@state.gov) |
| **Contact:** | | Oscar Avellaneda ISED Canada Canada | | | Tel: +1 613-851-2682 E-mail: [oscar.avellaneda@canada.ca](mailto:oscar.avellaneda@canada.ca) |

|  |  |
| --- | --- |
| **Keywords:** | A.5; Normative References; Partnership Projects; |
| **Abstract:** | Following the discussion during the E-meetings of the TSAG RG-WM and RG-SC, this contribution proposes enhancements to Recommendations ITU-T A.5 and ITU-T A.25 to address the case of normative references to, or incorporation of text from, documents owned by partnership projects. |

# Background

An issue identified in the 31 May 2018 joint E-meeting of the TSAG RG-SC and RG-WM, and again in the 24 September 2018 E-meeting of the TSAG RG-SC concerning the referencing of or incorporation of text belonging to partnership projects.

Several important standards development activities are carried out under the auspices of (non-legal) partnerships of multiple standards groups. For example, 3GPP is a partnership project carried out under ARIB, ATIS, CCSA, ETSI, TSDSI, TIA, and TTC. OneM2M is a partnership project carried out under Type 1 partners ARIB, ATIS, CCSA, ETSI, TSDSI, TIA, and TTC, and Type 2 partners CEN, CENELEC, GlobalPlatform, and Open Mobile Alliance (OMA).

Consequences of these types of collaborative standardization efforts include:

* Copyright on the text produced as part of the partnership project is jointly held by the partners (Type 1 partners in OneM2M), rather than being solely owned by a single organization; and
* Declarations for potentially essential IPR might only have been made in one of the partner organizations, according to the IPR policy of that particular organization.

The nature of these organizations complicates the process of making normative reference to, or incorporating text from a document owned by a partnership project.

# Proposal

For the purpose of making a normative reference to a document owned by a partnership project , it is proposed to consider a partnership project to be A.5 qualified in the case that all of the partner organizations that are part of that project are A.5 qualified. If any of the partner organizations meet the qualification criteria for A.5, then all of the partner organizations are likely to meet the criteria. It is proposed to add the following to clause 7 of Recommendation ITU-T A.5:

**7.3** For the case of making a normative reference to a document owned by a (non-legal) partnership project of multiple partner organizations, the partnership project is considered to be A.5 qualified in the case that every partner organization belonging to the project is A.5 qualified.

For the purpose of incorporation of text owned by a partnership organization, there are two pre-requisites identified in Recommendation ITU-T A.25:

* The organization from which the text is proposed to be incorporated must be A.5 qualified; and
* Permission must be obtained from the organization to distributing the material and for the possible use in ITU-T Recommendations or other documents.

Note that both 3GPP and OneM2M provide mechanisms to request copyright authorization to use their text or diagrams. For 3GPP, the responsibility is delegated to one of the member organizations:

<http://www.3gpp.org/about-3gpp/legal-matters>

For OneM2M, a copyright request form and designated email address for making copyright requests is provided:

<http://www.onem2m.org/about-onem2m/intellectual-property-rights>

If the proposed addition to A.5 to cover normative referencing of text from partnership projects is accepted, this prerequisite is covered with respect to proposed incorporation of text. Regarding copyright authorization, it is proposed to make the following modification in Recommendation ITU-T A.25 to cover the partnership project case. This is a minor enhancement to the editor text contained in TD376.

**6.2.1** At the earliest possible moment, upon the request of the study group or working party, the Telecommunication Standardization Bureau (TSB) will ensure that the organization (or designated contact point for a partnership project) has provided a written statement in which it agrees to:

* the distribution of the material for discussions within the appropriate groups, and
* its possible use (in whole or in part, with or without modification) in any resulting ITU-T Recommendations (or other ITU-T documents) that are published.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_