ITU Overview on standards, policies and regulatory issues

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ITU - Telecommunication

Standardization

Bureau

ICTs at the centre the global convergent information society
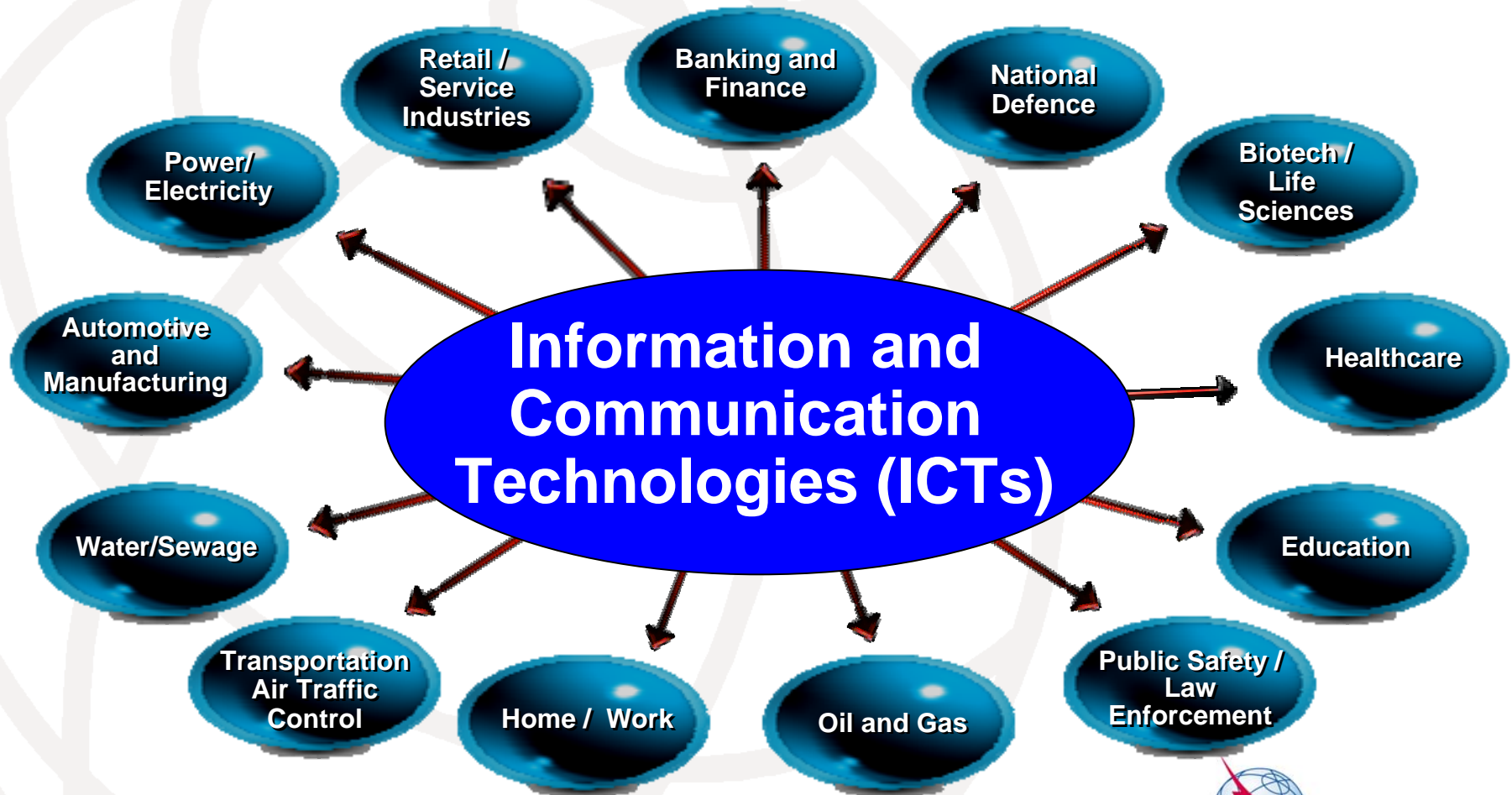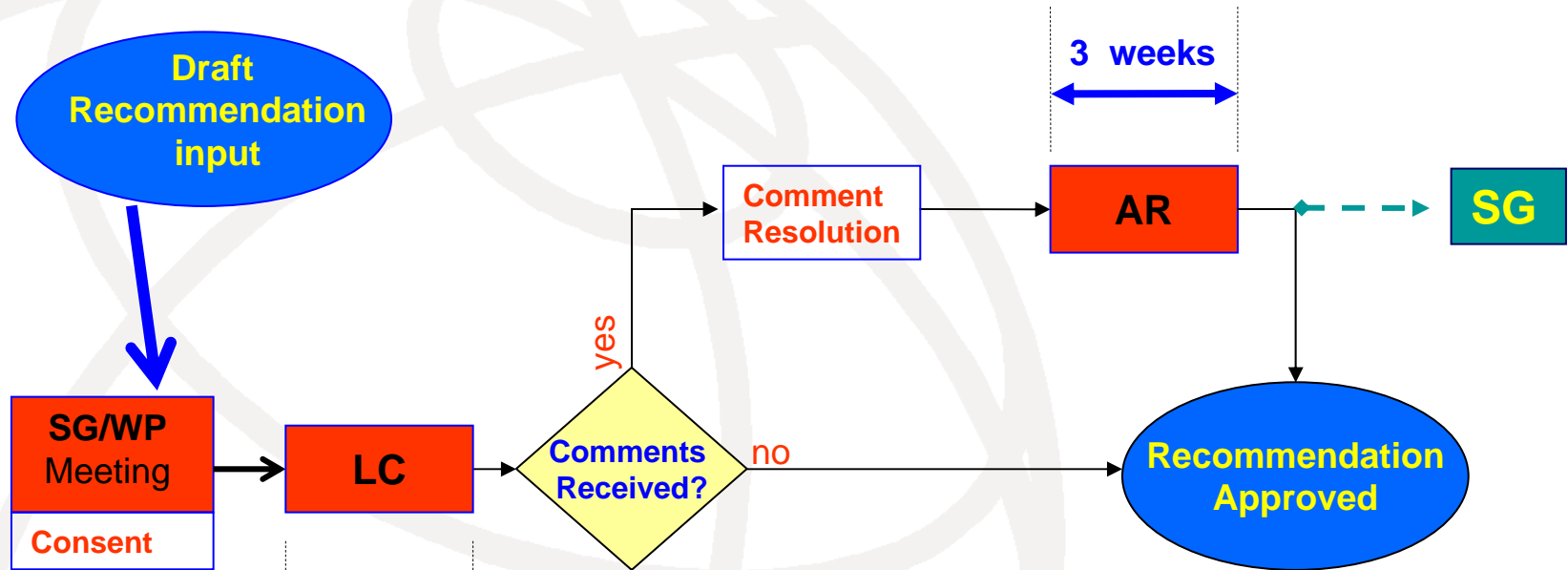
Converged services, a desire

- Always on
- Anytime, anywhere and in any form
- Voice and multimedia
- Self service, intuitive
- Simple for the end user
- Secure, trusted and reliable

AAP procedure for Technical Recommendations

3 weeks

Draft Recommendation input

Comment Resolution

AR

SG

yes

SG/WP Meeting

Consent

LC

Comments Received?

no

Recommendation Approved

4 weeks

84.6% approved directly after LC,
12.6% approved after going through AR
1.8% went back to SG meeting

LC = Last Call: " four weeks"	**SG** = Study Group
AR = Additional Review: " three weeks"	**WP** = Working Party

World Telecommunication Standardization Assembly
Johannesburg, 21-30 October 2008

- WTSA sets direction and structure for ITU-T

- Meets every four years

- Defines the general policy for the Sector

- Establishes the study group structure

- Approves the work programme

- Appoints their chairmen and vice-chairmen

- For first time will include exhibition at start

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ITU's perspectives on standards and IPR issues

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Web-based patent data base

1. **Information in the Patent Database**
-   Recommendation number and ID number assigned to the statement
-   Patent holder (company) name
-   Contact information (contact name, address, signature, …)
-   Version of declaration form
-   Licensing declaration
-   Patent information (Title, Patent Number/Patent Application Number, Patent Country, Foreign Counterparts)
-   Date of Patent statement reception
-   Remarks

2. **Copy of the original statement submitted by the Patent Holders**
    Copies are in PDF form are available under 'Statement view' in the Patent database.

3. **Search/sort possibilities**

Topics for the IPR Ad Hoc Group

- **Patent issues:**
  - Maintaining a working document of potentially useful additions to the Common Guidelines
  - Patent database improvements

- **Software Copyright issues**

- **Marks issues**

- **Presentations from outside organizations on hot issues**

- **Etc.**

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ITU's standardization activities: Legal aspects

- ITU Recommendations may include patented technology
  - Common ITU/ISO/IEC patent policy

- ITU Recommendations may also include copyrighted software

# Common Patent Policy for ITU-T/ITU-R/ISO/IEC

"Code of practice"

- The ITU Telecommunication Standardization Bureau (TSB), the ITU Radiocommunication Bureau (BR) and the offices of the CEOs of ISO and IEC are not in a position to give authoritative or comprehensive information about evidence, validity or scope of patents or similar rights.

- It is desirable that the fullest available information should be disclosed.

- Any party participating in the work of ITU, ISO or IEC should, from the outset, draw the attention of the Director of ITU-TSB, the Director of ITU-BR, or the offices of the CEOs of ISO or IEC, respectively, to any known patent or to any known pending patent application, either their own or of other organizations, although ITU, ISO or IEC are unable to verify the validity of any such information.

ITU/ISO/IEC patent Policy

1. The patent holder is willing to negotiate licences free of charge with other parties on a non-discriminatory basis on reasonable terms and conditions. Such negotiations are left to the parties concerned and are performed outside ITU-T/ITU-R/ISO/IEC.

2. The patent holder is willing to negotiate licences with other parties on a non-discriminatory basis on reasonable terms and conditions. Such negotiations are left to the parties concerned and are performed outside ITU-T/ITU-R/ISO/IEC.

3. The patent holder is not willing to comply with the provisions above mentioned; in such case, the Recommendation | Deliverable shall not include provisions depending on the patent.

ITU's Software Copyright Guidelines

- Software as part of a Recommendation
- Incorporation of copyrighted software in ITU Recommendations is strongly discouraged.
- Normative software should only be incorporated in exceptional situations: highly complex algorithms requiring precision, e.g. speech coders.
- The structure of the Software Copyright Guidelines is similar to the guidelines for the Common Patent Policy.

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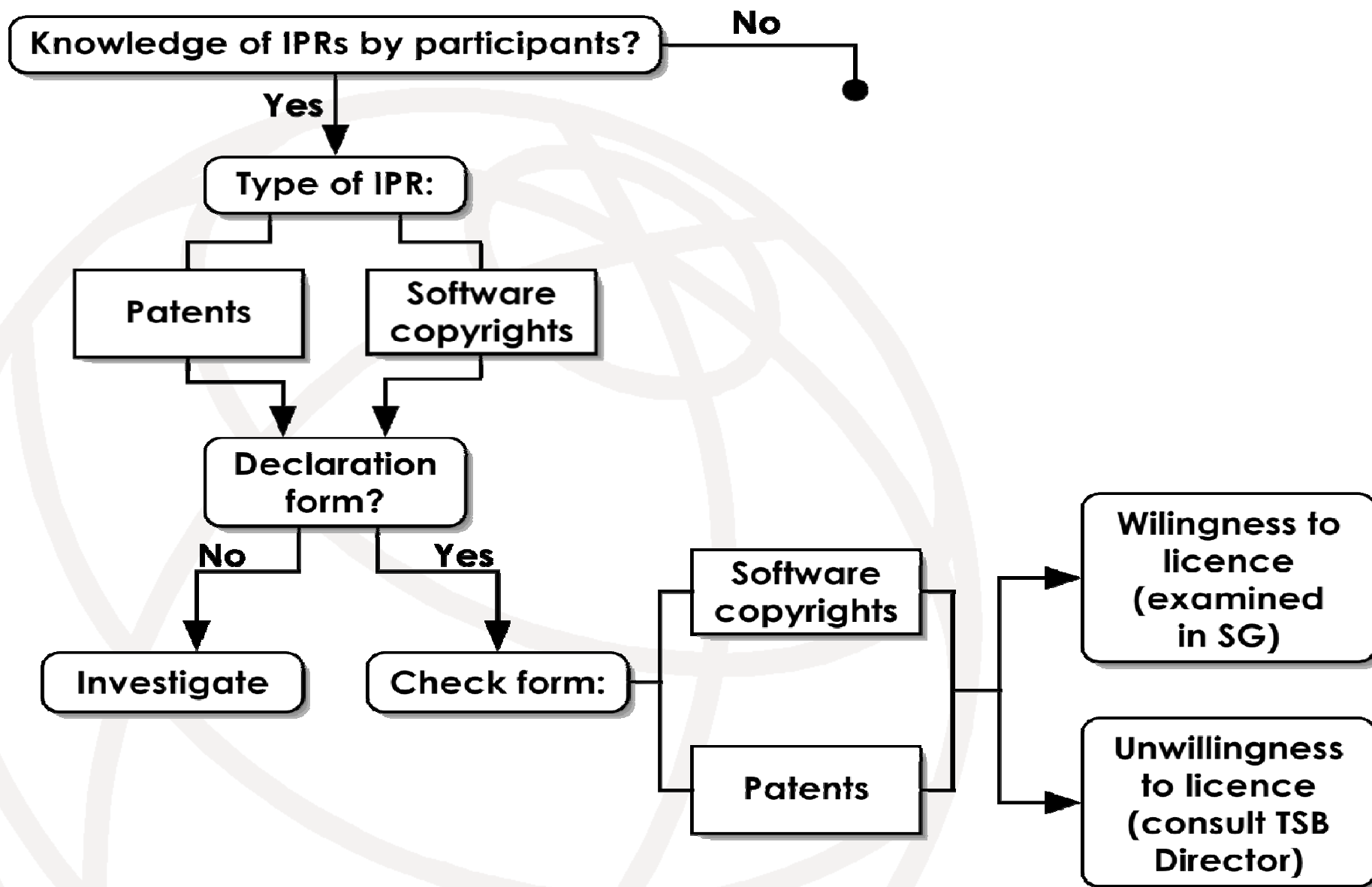
International Telecommunication Regulations (ITRs)

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What is the International Telecommunications Regulation
(Melbourne 1988)

- General principles related to international telecommunication services and its transport means.

- Interconnection and interoperability of telecommunication facilities.

- Giving precedence for the **Radio Regulations** in case of contradiction.

- Allowing, within its framework, mutual agreements between countries.

- To set primary rules for accounting and settlements between members

ITU-T Resolution 79

Secretary General and director of the TSB along with a group of appropriate experts to:

- **Study the roles of Members** (states and sector) in regards to the regulation and operation of telecommunication services.

- Consider **obligations of treaties** affecting member states and those who they do regulate.

- Review to what extent do the needs of member states are **satisfied** by the ITU instruments (all recommendations, regulations, resolution and decisions) specially ITRs.

The ITU-T Expert Group on Review of the ITRs will

- prepare recommendations on:

  – which provisions should be terminated, retained in the ITRs as treaty-level instruments,
  – transferred to the Constitution or Convention, or
  – embodied in ITU Recommendations;

- consider whether there is a need for new provisions in the ITRs, which should be dealt with at a world conference on international telecommunications

- report to the Council annually on its progress with respect to the issues referred to above, including those conclusions of the group that could form the basis for the Recommendations of the three ITU Sectors;

Third meeting of the expert group
(Geneva, 26 June-1 July 2008)

Telecommunications policy and regulatory issues with respect to international telecommunication networks and services:

•Fraud, malware, spam and cybersecurity

•Provisions regarding dispute resolution, in particular to address problems raised by the unequal bargaining powers of operators in small countries with respect to operators in big countries.

•Preventing misuse of facilities and/or numbering resources by implementing the relevant ITU-T Recommendations and, as appropriate, by transposing them to national laws.

•Member States to encourage administrations and other stakeholders providing international telecommunications services offered to the public, to apply the ITU-T Recommendations relating to naming, numbering, safety of life, priority telecommunications, disaster relief and emergency telecommunications and relevant instructions

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ITU World Telecommunication Policy Forum (1994 Kyoto)

- exchange views and information and create a shared vision among policy makers worldwide on the issues arising from the emergence of new telecommunications services and technologies

- consider any other policy issues in telecommunications which would benefit from a global exchange of views

- Not prescriptive regulatory outcomes or outputs with binding force, but reports and, where appropriate, opinions for consideration by Members States, Sector Members and relevant ITU meetings.

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WorldTelecommunication PolicyForum 2009
WTPF

Geneva, 25-27 March 2009 (proposed)

- **convergence, including Internet-related public policy matters** universal access/service provisions, protection, supervision of dominant market players, emergency services, access for disabled persons, security and privacy protection, allocation of scare resources, dispute resolution.

- **Convergence, next-generation networks, and Internet** as key future trends in networks and implications for capacity building, especially in developing countries, Quality of Service, mobility

- **emerging telecommunications policy and regulatory issues**
  including those coming from the Council Working Group on emerging policy and regulatory issues, which may be relevant to a review of the ITRs.

"ITU inside" concept

- ITU Mark displayed on products and services based on ITU-T Recs

- Encourage use of ITU-T Recs as standards rather than guidelines

- Promote interoperability on a global scale through strict conformance to high quality ITU-T Recommendations

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ITU Marks

- Conformance Mark
  - Class A, Class B
- Interoperability Mark
  - in addition to conformance Mark
- Green Mark
  - conformance to additional set of requirements on energy efficiency
  - in addition to conformance Mark

Declaration of Conformance

Technical Specifications,

Testing Methodology, Test Specifications

ITU

Non-ITU

Manufacturer's Test Operations

Accredited 3rd-Party Test Laboratory

Accredited 1st-Party Test Laboratory

Test Laboratory

Test Report, X.290 Compliant

Test Report, X.290 Compliant

Test Report

Accredited Certification Body

Supplier's Declaration (ISO/IEC 17050-1)

Supplier's Declaration

Certificate

Purchasers

Purchasers

Purchasers
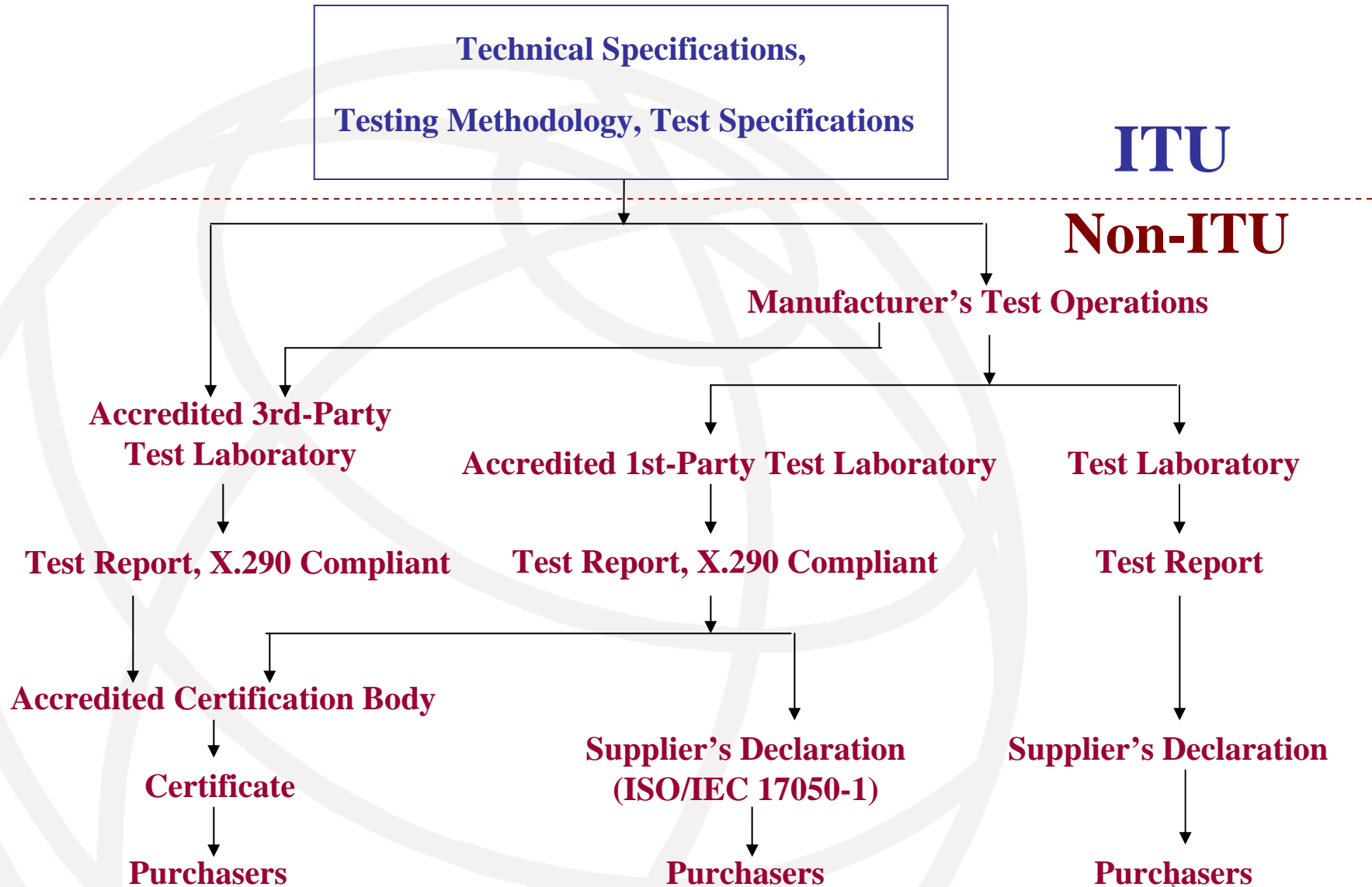
Testing for Recognition

Interoperability
- Test Events
- Qualified Equipment

Conformance
- Test Laboratory
- Test Report

Accreditation
- Criteria
- Lab Accred Program
  - Lab Assessment

Standards
- Testing Methodology, Test Suite, Related Recs.
- Technical Specifications, Protocol Behaviour

Harmonization
- Regional
- International

ITU

Certification
- Certificate
- Supplier's Declaration
  - ITU Mark

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Useful links

- ITU home page: www.itu.int
- History and landmarks: http://ww.itu.int/net/about/history.aspx
- ITU-T home page (ITU's standardization activities): http://www.itu.int/ITU-T/index.html
- IPR Policy: http://ww.itu.int/ITU=T/ipr
- Patent database: http://www.itu.int/ipr/IPRSearch.aspx?iprtype=PS
- Software database: http://www.itu.int/ipr/IPRSearch.aspx?iprtype=SW

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Thank you

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