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| PLENARY MEETING | Addendum 18 toDocument 38-E |
|  | **5 May 2021** |
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| Member States of European Conference of Postal and Telecommunications Administrations (CEPT) |
| Proposed modification of Recommendation ITU-T A.5 |
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| **Abstract:** | The revision of Recommendation ITU-T A.5 aims to ensure that an explicit assessment of the Intellectual Property Rights (IPRs) of the referenced organization should occur before any such material can be referenced. This is outlined in Annex B. |

Introduction

There have been instances in the last study period where other SDOs intellectual property has been incorporated in ITU Recommendations, without thought of the other SDOs IPRs.

Proposal

Revision of Recommendation ITU-T A.5

MOD EUR/38A18/1

Recommendation ITU‑T A.5

Generic procedures for including references to documents of
other organizations in ITU‑T Recommendations

Summary

Recommendation ITU‑T A.5 provides generic procedures for normatively referencing documents of other organizations in ITU‑T Recommendations.

# 1 Scope

This Recommendation provides generic procedures for normatively referencing the documents of other organizations in ITU‑T Recommendations. Annex B provides the criteria to qualify a referenced organization. Clauses 6 and 7 describe the procedures in detail. Annex A provides the format for documenting a study group or working party decision with respect to making the reference. Specific information regarding qualified organizations can be found on the ITU‑T website.

NOTE – These generic procedures do not apply to references to standards produced by ISO and IEC. The long-standing ability to make such references continues unchanged.

The case of ITU‑T accepting texts, in part or in whole, from another organization is addressed in [ITU‑T A.25].

# 2 References

The following ITU‑T Recommendations and other references contain provisions which, through reference in this text, constitute provisions of this Recommendation. At the time of publication, the editions indicated were valid. All Recommendations and other references are subject to revision; users of this Recommendation are therefore encouraged to investigate the possibility of applying the most recent edition of the Recommendations and other references listed below. A list of the currently valid ITU‑T Recommendations is regularly published. The reference to a document within this Recommendation does not give it, as a stand-alone document, the status of a Recommendation.

[ITU‑T A.1] Recommendation ITU‑T A.1 (2019), *Working methods for study groups of the ITU Telecommunication Standardization Sector (ITU‑T)*.

[ITU‑T A.25] Recommendation ITU‑T A.25 (2019), *Generic procedures for incorporating text between ITU‑T and other organizations*.

# 3 Definitions

## 3.1 Terms defined elsewhere

This Recommendation uses the following terms defined elsewhere:

**3.1.1** **normative reference** [ITU‑T A.1]: The whole or parts of another document where the referenced document contains provisions which, through reference to it, constitute provisions to the referring document.

## 3.2 Terms defined in this Recommendation

This Recommendation defines the following terms:

**3.2.1** **approved document**: An official output (such as a standard, a specification, an implementation agreement, etc.) which has been formally approved by an organization.

**3**.**2.2 non-normative reference**: The whole or parts of a document where the referenced document has been used as supplementary information in the preparation of the Recommendation or to assist the understanding or use of the Recommendation, and to which conformance is not necessary.

**3.2.3 referenced organization**: An organization for which an ITU‑T study group identifies the need to make a specific reference (either normative or non-normative) to one of its documents.

# 4 Abbreviations and acronyms

This Recommendation uses the following abbreviations and acronyms:

AAP Alternative Approval Process

TAP Traditional Approval Process

# 5 Conventions

None.

# 6 Generic procedures for including references to documents of other organizations in ITU‑T Recommendations

**6.1** An ITU‑T study group or a member of a study group may identify the need to make a specific reference (either normative or non-normative) to a document from another organization within a specific draft Recommendation. It is preferred that, rather than making reference to an entire document from an outside organization, reference be made to only the specific section(s) concerned.

The requirements of clauses 6.2 and 6.3 do not apply for non-normative references, since such referenced documents are not considered to be an integral part of an ITU‑T Recommendation. They are documents that add to the reader's understanding but are not essential to the implementation of, or compliance with, the Recommendation.

**6.2** For normative references, a member submits a contribution, or the Rapporteur or Editor submits a TD, to the study group or working party providing information, as outlined in clauses 6.2.1 to 6.2.10.

The study group or working party evaluates this information and decides whether to make the reference. The format for documenting the study group or working party decision is given in Annex A.

Specific criteria for the qualification of the considered organization are provided in Annex B. The list of those qualified organizations is on the Databases page of the ITU‑T website[[1]](#footnote-1)1.

**6.2.1** A clear description of the document considered for reference (type of document, title, number, version, date, etc.).

**6.2.2** Status of approval. Referencing a document that has not yet been approved by the referenced organization can lead to confusion; thus, normative referencing is usually limited to approved documents. If absolutely necessary, such a reference can be made where cooperative work requiring cross-references is being approved by ITU‑T and another organization in approximately the same time-frame.

**6.2.3** Justification for the specific reference.

**6.2.4** Current information, if any, about intellectual property rights[[2]](#footnote-2)2 issues (patents, copyrights for software, marks).

**6.2.5** Other information that might be useful in describing the "quality" of the document (e.g., whether products have been implemented using it, whether conformance requirements are clear, whether the specification is readily and widely available).

**6.2.6** The degree of stability or maturity of the document (e.g., length of time it has existed). In considering the stability of the document the study group shall consider the process and likelihood of the referenced document being updated and the impact of such an update on the stability of the ITU-T document in which the reference is occurring.

**6.2.7** Relationship, if relevant, with other existing or emerging documents in ITU‑T or in other standards development organizations.

**6.2.8** When a document is to be referenced in an ITU‑T Recommendation, all explicit references within the referenced document should also be listed.

**6.2.9** Qualification of referenced organization (per clause 7). This need only be done the first time a document from the referenced organization is being considered for referencing and only if such qualification information has not been documented already.

**6.2.10** A full copy of the existing document. No reformatting is necessary. The objective is to have referenced documents available via the web at no cost, so that the study group or working party may proceed with its evaluation. Accordingly, if a document to be referenced is available in this manner, it is sufficient for the contributing member to provide its exact location on the web. On the other hand, if the document is not available in this manner, a full copy must be provided (in electronic format if permissible by the referenced organization, otherwise in paper format).

**6.3** For normative references only, the study group or working party evaluates the above information and comes to its conclusions based on the usual consensus process. The decision of the study group or working party shall be documented using the format in Annex A. This requirement must be completed, at the latest, one day before the time the Recommendation is proposed for determination under the traditional approval process (TAP) or consent under the alternative approval process (AAP).

If there is consensus, the study group or working party report may simply note that the procedures of Recommendation ITU‑T A.5 have been satisfied and provide a pointer to the document where the full details reside.

**6.4** If the study group or working party decides to make the normative reference, it should be introduced with the standard text provided in clause 2 of the "Author's guide for drafting ITU‑T Recommendations"[[3]](#footnote-3)3.

NOTE – In the case of texts produced jointly by ITU‑T and ISO/IEC JTC 1, it is recognized that clause 6.6 of the "Rules for presentation of ITU‑T | ISO/IEC common texts"[[4]](#footnote-4)4 apply.

# 7 Qualification of referenced organizations

**7.1** To ensure the continued quality of the ITU‑T Recommendations, it is necessary to evaluate the document being proposed for normative reference, and it is also necessary for the study group or working party to consider the referenced organization according to the criteria set out in clauses 7.1.1, 7.1.2 and 7.1.3.

**7.1.1** Qualification of the referenced organization according to Annex B should be conducted before considering a normative reference from that organization. If the referenced organization has already been qualified according to the criteria in Annex B (or previously to Recommendation ITU‑T A.4 or Recommendation ITU‑T A.6), the evaluation may not need to be repeated, and only a note of the result is required.

**7.1.2** In addition, the referenced organization should have a process by which its output documents are published and regularly maintained (i.e., reaffirmed, revised, withdrawn, etc.).

**7.1.3** The referenced organization should also have a document change control process, including a clear, unambiguous document numbering scheme. In particular, a feature to look for is that updated versions of a given document be distinguishable from the earlier versions.

**7.2** Qualification of an organization according to the criteria in Annex B is reviewed on a regular basis by study groups that need to make normative references to documents of that organization. In particular, if the patent policy of that organization has changed, it is important to check that the new patent policy is consistent with the Common Patent Policy for ITU‑T/ITU‑R/ISO/IEC and the Guidelines for the Implementation of the Common Patent Policy for ITU‑T/ITU-R/ISO/IEC[[5]](#footnote-5)5.

**7.3** For the case of a proposed referenced document jointly owned by multiple organizations in a partnership project that is not a legal entity, the partnership project is considered to be qualified according to the criteria in Annex B if each organization is itself qualified according to the criteria in Annex B. A reference to the ITU‑T A.5 justification shall be included in any Circular announcing a TAP consultation or any announcement for an AAP Last Call.

Annex A

Format for documenting a study group or working party decision

(This annex forms an integral part of this Recommendation.)

The decision of the study group or working party with respect to making the normative reference must be documented in the meeting record using the following format:

1) Clear description of the document.

 (type of document, title, number, version, date, etc.).

2) Status of approval:

 (only approved documents should be considered)

3) Justification for the specific reference.

4) Current information, if any, about intellectual property rights issues:

 (including patents, copyrights for software, marks).

5) Other useful information describing the "quality" of the document:

 (e.g., length of time it has existed, whether products have been implemented using it, whether conformance requirements are clear, whether the specification is readily and widely available).

6) The degree of stability or maturity of the document.

7) Relationship, if relevant, with other existing or emerging documents in ITU‑T or in other standards development organizations.

8) When a document is referenced in an ITU‑T Recommendation, all normative references within that referenced document should also be listed.

 NOTE – A separate review is not required for all of these normative references. However, the referenced organization, if different from ISO or IEC, needs to be qualified under Annex B (and previously under Recommendation ITU‑T A.4 or Recommendation ITU‑T A.6). If the referenced organization for a normative reference is not qualified, a qualification under Annex B should be performed first. In addition, if the draft ITU‑T Recommendation is planned for approval under the traditional approval process (TAP) found in [b-WTSA Res. 1], all normative references in the referenced document should be reviewed.

9) Qualification of referenced organization:

 (This needs to be done only the first time that a document from the referenced organization is being considered for referencing, and only if such qualification information has not already been documented or if it has changed).

9.1) Qualification under Annex B.

9.2) Document publication and maintenance process.

9.3) Document change control process.

10) Location of a full copy of the document.

11)Other (for any supplementary information).

Annex B

Criteria for qualifying organizations

(This annex forms an integral part of this Recommendation.)

| Organization attributes | Desired characteristics |
| --- | --- |
| 1) Objectives/relationship of work to ITU‑T work | Should refer to development, adoption, implementation and use of national, regional or international standards, or to the provision of input into international standards organizations, especially ITU‑T. |
| 2) Organization: – legal status; – geographic scope; – accreditation; – secretariat; – nominated representative. | – should indicate in which country/countries it has legal status;– should indicate the scope of the standards of the organization;– should indicate the accrediting entity;– should identify the permanent secretariat;– should nominate a representative. |
| 3) Membership/participation (openness) | – should describe the membership/participation model;– membership/participation criteria should not preclude any party with material interest, especially ITU Member States and Sector Members. If it has been identified that the criteria preclude or restrict any party with material interest to be a member of the other organization, this will be indicated;– membership/participation should comprise a significant representation of telecommunication interests; otherwise, an explanation will be provided. |
| 4) Technical subject areas | Should be relevant to a particular study group(s) or ITU‑T as a whole. |
| 5) Intellectual Property Rights Policy and Guidelines on:a) patents;b) software copyright (if applicable);c) marks (if applicable); andd) copyright | An explicit assessment of the Intellectual Property Rights (IPRs) of the referenced organization should occur to ensure that text from that organization can be referenced or incorporated. a) should be consistent with the "Common Patent Policy for ITU‑T/ITU‑R/ISO/IEC" and the "Guidelines for Implementation of the Common Patent Policy for ITU‑T/ITU‑R/ISO/IEC"\*;b) should be consistent with the "ITU‑T Software Copyright Guidelines"\*;c) should be consistent with the "ITU‑T Guidelines related to the inclusion of Marks in ITU‑T Recommendations";d) ITU and ITU Member States and Sector Members should have the right to copy for standardization-related purposes (see also [ITU‑T A.1] with regard to copying and distribution, or [ITU‑T A.25] with regard to incorporation, with or without modification). |
| 6) Working methods/processes | – should be documented;– should be open, fair and transparent;– should document anti-trust policy. |
| 7) Outputs | – should identify outputs available to ITU‑T;– should identify the process for ITU‑T to obtain outputs. |
| \* Particularly, licences must be offered on a non-discriminatory basis and on reasonable terms and conditions (whether free of charge or with monetary compensation) to both members and non-members. |

Bibliography

[b-WTSA Res. 1] WTSA Resolution 1 (Rev. Hammamet, 2016), *Rules of procedure of the ITU Telecommunication Standardization Sector*.

1. 1 The current website is: https://www.itu.int/en/ITU‑T/extcoop/Pages/sdo.aspx [↑](#footnote-ref-1)
2. 2 See: https://www.itu.int/ipr [↑](#footnote-ref-2)
3. 3 The Author's guide can be downloaded from: http://handle.itu.int/11.1002/plink/8306947125 [↑](#footnote-ref-3)
4. 4 The document can be found at: https://www.itu.int/en/ITU‑T/about/groups/Documents/Rules-for-presentation-ITU‑T-ISO-IEC.pdf [↑](#footnote-ref-4)
5. 5 See https://www.itu.int/ipr [↑](#footnote-ref-5)