

# **Amendment to the Cooperation and License Agreement Between the International Electrotechnical Commission (“IEC”) and the Institute of Electrical and Electronics Engineers, Inc. (“IEEE”)**

WHEREAS, IEC and IEEE wish to amend the Cooperation and License Agreement, dated October 29, 2002 (“2002 IEC/IEEE Cooperation Agreement”); and

WHEREAS, in accordance with the policy of the American National Standards Institute (“ANSI”) and the United States National Committee (“USNC”) governing agreements between IEC and U.S.-based SDOs, such as IEEE, the parties have obtained the concurrence of ANSI/USNC to the terms of this amendment;

NOW THEREFORE, in consideration of the premises and mutual promises herein contained, it is agreed as follows:

## **1. ESTABLISHMENT OF A JOINT IEC-IEEE PROJECT**

Either an IEC Technical Committee/Subcommittee or an IEEE Committee may determine the need for a joint development project. This may be a new work item or a revision to an existing standard.

### *1.1 IEC Initiates the Joint IEC-IEEE Development Project*

If an IEC Technical Committee/Subcommittee would like to initiate a joint development project, they should contact the appropriate IEEE committee to discuss the project to see if there is mutual interest.

### *1.2 IEEE Initiates the Joint Development Project*

If an IEEE Technical Committee would like to initiate a joint development project, they should contact the appropriate IEC Technical Committee/Subcommittee to discuss the project to see if there is mutual interest.

### *1.3 Both parties agree on the need for a Joint IEC-IEEE Development Project*

If both parties agree on the need for a joint development project, the IEC Technical Committee/Subcommittee will submit a New Work proposal (see ISO/IEC Directives, Part 1, 2.3) to the IEC Central Office, providing the relevant information for the project and a statement that the project is to be developed jointly with the relevant IEEE Technical Committee.

At the same time, the IEEE Technical Committee will submit a Project Authorization Request (PAR), providing the relevant information for the project and a statement that the project is to be developed jointly with the relevant IEC Technical Committee/Subcommittee.

Once the New Work Item is approved, the IEC Central Office will forward the New Work Item to the IEEE-SA Program Manager, International Standards Programs. Conversely, once the PAR has been approved by the IEEE-SA Standards Board, the IEEE-SA Program Manager, International Standards Programs, will forward the approved PAR to the Chair and Secretary of the relevant IEC Technical Committee/Subcommittee with a copy to the IEC Technical Officer.

#### *1.4 Joint Working Group*

Once the New Work Item and PAR are both approved, an official working group is formed. A call for experts is issued by the IEEE. Experts from the IEC will have been appointed during the NP ballot. The working group convener is chosen by the working group (co-convenors may also be chosen, if desired) and the appointment is confirmed by the IEC Technical Committee/Subcommittee and by the IEEE Technical Committee.

## **2. PROCEDURE FOR THE DEVELOPMENT OF JOINT IEC-IEEE INTERNATIONAL STANDARDS**

#### *2.1 Preparation of an Initial Draft*

The working group prepares a draft for comments, making use of the IEC Standards Development Template (IECStd). (Committee Draft, see ISO/IEC Directives, Part 1, 2.5)

#### *2.2 Circulation of the Draft*

The draft is circulated by the IEC Central Office to the National Committees for comment; the IEEE Technical Committee/Working Group circulates the document to their experts for comment. This comment period is open for three months.

#### *2.3 Compilation and Circulation of Comments*

The comments are compiled by the IEC Technical Committee/Subcommittee Secretariat or the IEEE Technical Committee/Working Group, depending on which organization initiated the project.

The compilation of comments is circulated to the working group (with a copy to the IEC Technical Committee/Subcommittee and the IEEE Technical Committee/Working Group) for review. When circulating the compilation of comments in the IEC, the IEC TC/SC secretariat shall arrange for the compilation of comments to be circulated to all P-members and O-members of the technical committee or subcommittee.

#### *2.4 Acceptance/Non-Acceptance of Comments*

Each comment is reviewed and is accepted, rejected or agreed to in principle. If the comments received are generally editorial and do not alter the fundamental technical content of the document, then another draft of the document is prepared for ballot (In IEC, a Committee Draft for Vote, CDV (see ISO/IEC Directives, Part 1, 2.6).

If the comments to the Committee Draft are of a significant nature, a second Committee Draft may be prepared by the IEC Technical Committee/Subcommittee and circulated by the IEC Central Office and by the IEEE Technical Committee/Working Group (with a copy to the IEC Technical Committee/Subcommittee and the IEEE Technical Committee/Working Group) for review until consensus has been reached.

#### *2.5 IEC Enquiry Stage/IEEE Sponsor Ballot*

IEC and IEEE ballots (votes) must close on the same date.

##### *2.5.1 IEC – Committee Draft for Vote, CDV*

All National Committees may vote on the draft. P-members have an obligation to vote This ballot lasts for five months.

### *2.5.2 IEEE – Sponsor Ballot*

The document is sent to Sponsor Ballot (see clause 5.4 of the *IEEE-SA Standards Board Operations Manual* - <http://standards.ieee.org/guides/opman/sect5.html#5.4>). This ballot lasts from 30 to 45 days.

### *2.6 Ballot Resolution*

After the ballots have closed, see Item 2.3 and 2.4.

### *2.7 Submission of Document for Approval*

Once comment resolution has completed (in the case of IEC, once the IEC National Committees have approved the Committee Draft for Vote, in the case of IEEE, once 75% approval of the balloting group has been reached) the document is submitted for approval simultaneously in IEC and IEEE.

#### *2.7.1 Submission to IEEE for Approval*

The IEEE Technical Committee submits the draft to the IEEE-SA Standards Board for approval.

#### *2.7.2 Submission to IEC for Approval*

The IEC Central Office circulates the document as a Final Draft International Standard, FDIS, see ISO/IEC Directives, Part 1, 2.7.

This ballot shall be open for two months. For the ballot to pass, 2/3 of the Participating members must vote affirmatively and not more than one quarter of the total votes (participating members and other members, combined) can be negative. Abstentions are not counted.

### *2.8 Approval of Document*

If the IEEE-SA Standards Board approves the document and if the FDIS vote in IEC is affirmative, then the document is published as a Joint IEC-IEEE International Standard(s).

At either of the stages described in 2.5 or 2.6, it may happen that there are diverging votes in IEC and IEEE. In this case the IEC and IEEE technical committees concerned should decide whether it is possible to reconcile the differences. If reconciliation is not possible, then each organization may continue to develop the standard independently of the other. Each organization will retain the copyright of their individual documents.

## **3. MAINTENANCE**

The IEEE agrees to notify IEC in writing promptly via electronic notification of any changes to IEEE Product(s) that might have a bearing on a Joint IEC-IEEE International Standard(s), in an effort to foster harmonization of standards in general. The notification to IEC shall occur upon IEEE's official recognition and acceptance of a duly submitted Project Authorization Request (PAR) from the relevant IEEE working group. The IEC shall notify the IEEE promptly should the IEC receive a request to revise or modify a Joint IEC-IEEE International Standard.

The procedure applicable is that given in IEC [AC/24/2007](#).

## **4. PUBLICATION, COPYRIGHT AND COMMERCIAL ARRANGEMENTS OF A JOINT IEC-IEEE INTERNATIONAL STANDARD**

### *4.1 Publication*

IEC will perform final editorial/production work on the Joint IEC-IEEE International Standard with approval of the final proof by IEEE before publication. IEEE and IEC will not charge each other for any editing or production work undertaken in development of the final Joint IEC-IEEE International Standard(s).

The resulting Joint IEC-IEEE International Standard(s) may be distributed by both organizations. The Joint IEC-IEEE International Standard(s) shall contain both the IEC and IEEE names and logos on the cover of the Standard, with common designation, i.e.:

IEC/IEEE 6ABCDE

### *4.2 Copyright*

In a Joint IEC-IEEE International Standard, copyright ownership will be held jointly by IEC and IEEE with normal exploitation rights for IEEE and for IEC and its members, including national adoptions, except that ANSI will not be required to pay royalties to IEC on its U.S.-based sales of Joint IEC-IEEE International Standards. IEC and IEEE may each sell the Joint IEC-IEEE International Standard, in accordance with their own rules, without any royalties to the other and, in the case of IEEE, in accordance with the terms of its agreement with ANSI.

Each party shall promptly inform the other party if it becomes aware of any copyright infringement or potential infringement. IEEE and IEC shall consult with each other to decide the best way to respond to such infringement.

### *4.3 Copyright Permission Requests*

IEC will respond to any copyright permission requests it receives pertaining to Joint IEC-IEEE International Standards and send a copy of the response to IEEE. IEEE will respond to any copyright requests it receives pertaining to Joint IEC-IEEE International Standards and send a copy of the response to IEC.

### *4.4 Distribution of Documents for Standards Development Purposes*

In the development process, IEC members are free to copy and distribute the relevant IEEE documents for standards development purposes and in accordance with IEC policies for the circulation of draft standards and working documents. IEEE members are free to copy and distribute the relevant IEC documents for standards development purposes and in accordance with IEC policies for the circulation of draft standards and working documents.

## **4.5. SALES & DISTRIBUTION**

### *4.5.1 Sale and Distribution*

IEC and IEEE have the right to sell the Joint IEC-IEEE International Standard directly or indirectly through their respective distribution channels throughout the world. Both parties will act in good faith and fair dealing with respect to each other's sales and distribution channels.

For documents referenced in the standard, the following shall apply:

- If an IEC document is referenced in a Joint IEC-IEEE International Standard, the IEC standard shall be sold and distributed by the IEC through its respective channels.
- If an IEEE document is referenced in a Joint IEC-IEEE International Standard, the IEEE Standard shall be sold and distributed by the IEEE through its respective channels.

It is not intended that the IEC or the IEEE will sell the other party's referenced standards and no rights are granted under this agreement by either party to the other to sell such referenced standards.

#### 4.5.2 Pricing

Both IEC and IEEE will agree on one published list price for the resulting IEC/IEEE publication. Nothing in this Agreement is deemed to imply any restriction on either IEC's or IEEE's freedom to sell Joint IEC-IEEE International Standard(s) at such prices as they determine.

Signatures:



Aharon Amit  
General Secretary & CEO  
IEC



Judith Gorman  
Managing Director, Standards Association  
IEEE

Date: 2008-07-15