

Dear Pim,

Most of the issues you raise are TC Process rules, so we'll forward them to that Board committee. This note addresses your concerns about non-standards track work products being "covered" by the IPR policy.

It's important to remember that there are requirements in the IPR Policy about disclosure, patent licensing, trademark, copyright, etc. The copyright provisions \*do\* apply in the non-standards track. The patent license rules do \*not\*. This is because all of the mandated patent license obligations are to protect implementers of "normative portions" of a final specification, a term precisely defined in the policy.

Where there are no normative portions, there can be no obligations to license patents under our IPR Policy. Non-standards track documents have no normative portions: as a result, document users cannot expect TC members to license patents based on the use of the non-standards track document. (in addition they do not have any "conforming implementation.") This is why talking about RF or RAND modes in the non-standards track doesn't make sense.

The "normative portion" definition in our rules is not new: it's been in our rules since 2005. So the fact that promotional slideshows or position papers do not have patent license protection isn't new either. That's not necessarily a problem. It simply means that a reader must use judgment about the implications of using the document -- much as they would do for information coming from any web page or trade journal.

We understand that some of your concerns are about the review time, appearance & warnings now applied to the non-standards track. These are set in the TC Process, not the IPR Policy, so the Board Process committee can address those issues.

The OASIS Board IPR Committee hopes this helps clarify the IPR concerns related to non-standards track deliverables.

Thanks  
Bob Freund for the OASIS IPR committee