enosema

DIRECTIVE
Directive

EFD 105:2026

Enosema Directive: Intellectual property rights policy

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Foreword

The Enosema Foundation (“ES”) is the premier non-profit standardization organization for terminology standardization and terminology related processes such as management. It facilitates the education, standardization, research, promotion, definition, and usage of terminology resources and management practices globally.

ES works with international partners and experts across the globe, reflecting the international nature of its mission. More information about ES is available on the official website (https://www.enosema.org).

The procedures used to develop this document and those intended for its further maintenance are described in the ES Directives.

In particular the different approval criteria needed for the different types of ES documents should be noted. This document was drafted in accordance with the editorial rules of the ES Directives.

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. ES shall not be held responsible for identifying any or all such patent rights. Details of any patent rights identified during the development of the document will be provided in the Introduction.

Any trade name used in this document is information given for the convenience of users and does not constitute an endorsement.

This document was prepared by the Board of Directors, supported by the Technical Coordination Board (TCB).

This document is one of the ES Directives, and it was derived from the EXPRESS Language Foundation (ELF) Directives, published under the Creative Commons Attribution 4.0 International (CC BY 4.0) license. It has been rewritten for the Enosema organization and domain.

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Introduction

0.1 General

ES is committed to expanding the realm of standards for terminology, concepts, and their management, with a focus on terminology resources and interoperability across the globe and communities of practice.

In the ES standardization process described in EFD 101:2026, contributions are received from various forms and parties. As a proponent of open standards, ES is required to address any intellectual property rights in such contributions to be able to publish standardization deliverables.

This document details the IPR policy of ES covering all ES standardization activities, covering generally the following categories:

— Copyright

— Trademarks

— Patents

0.2 Purpose

This document describes the intellectual property rights policy of ES that aims to be simple and straightforward.

ES deliverables are drawn up by technical, not IPR, experts, who may not be fully aware of all nuances in the complex international legal situation of intellectual property rights.

ES deliverables are non-binding — their objective is to ensure compatibility of technologies and systems on a worldwide basis.

To ensure the applicability and accessibility of ES deliverables, the implementation and continued usage of content within the deliverables must be possible to the worldwide audience without discrimination, including any intellectual property rights embodiment in such deliverables.

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Enosema Directive: Intellectual property rights policy

1 Scope

This document provides the ES intellectual property rights policy, which governs all standardization activities at ES.

The ES patent policy is described in EFD 103:2026.

2 Normative references

The following documents are referred to in the text in such a way that some or all of their content constitutes requirements of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

EFD 101:2026, *Enosema Directive: Standardization and publication*

EFD 103:2026, *Enosema Directive: Patent policy*

3 Terms, definitions and abbreviated terms

For the purposes of this document, the following terms and definitions apply.

ISO and IEC maintain terminology databases for use in standardization at the following addresses:

— ISO Online browsing platform: available at https://www.iso.org/obp

— IEC Electropedia: available at https://www.electropedia.org

3.1
contribution
material provided as input to an ES standardization activity

Note 1 to entry: a contribution can be provided by a member of ES or an external party

3.2
contributor
party that provides a *contribution* (3.1)

3.3 Abbreviated terms

IPR	Intellectual Property Rights
TCB	Technical Coordination Board

4 Standardization activities

4.1 No confidential material

No confidential material is to be discussed at or during ES standardization activities.

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All information provided or discussed in ES activities is presumed to be public information and member participants are reminded that they should not discuss or reveal any confidential information of their respective organizations.

While work in progress within ES is not publicly available outside ES, with minor exceptions, completed work products of ES are intended to be publicly and freely available, and will be posted on the Enosema website.

4.2 Mandatory disclosure of intellectual property rights

Discussions that relate to known or potential intellectual property rights during ES standardization activities must be performed under full disclosure of such rights.

Individuals participating in the activities of ES are responsible for determining that such rights when known, must be disclosed in accordance with this provision.

5 Contributions

5.1 No confidential material

Participants in ES standardization activities must avoid providing contributions containing confidential material, regardless whether provided in person or via electronic means.

5.2 Mandatory disclosure of intellectual property rights

Contributions which contain intellectual property of an organization must be disclosed and are subject to the rules and guidance provided in this document.

Such contributions shall be avoided unless such material can be shown to be, in the judgment of the participants in the activity and the Enosema Board of Directors, essential to the work.

No material which is subject to any terms of confidentiality or restriction of dissemination on the part of its contributor or the contributor's organization can be accepted for such use.

Individuals participating in the activities of ES are responsible for determining that material which they contribute is made available by their organizations in accordance with this provision.

5.3 Copyright provisions

If any part of a contribution is or may be subject to copyright, the contributor and his or her organization, and any other owners of any proprietary rights in the contribution, grant ES a world-wide, non-exclusive, non-sub-licensable license (except for the submission and adoption by other standardization bodies), to use contents of submitted documents to ES, for the development and publishing of the deliverables.

This license includes the right to copy, publish and distribute the contribution in any way, and to prepare derivative works that are based on or incorporate all or part of the contribution, the license to such derivative works to be of the same scope as the license of the original contribution.

NOTE This is in alignment with IETF RFC 2026, 10.3.1.1.

5.4 Admission and usage

ES has no duty to admit, publish or otherwise use or disseminate any contribution.

NOTE This is in alignment with IETF RFC 2026, 10.3.1.2.

5.5 Reference

The contributor grants permission to reference the names and addresses of contributors of a contribution and of the organizations he or she represents (if any).

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NOTE This is in alignment with IETF RFC 2026, 10.3.1.3.

5.6 Source disclosure

A contribution must properly acknowledge all major contributors of that contribution.

NOTE This is in alignment with IETF RFC 2026, 10.3.1.4.

5.7 IPR disclosure

The contributor when submitting a contribution, represents that he or she has disclosed the existence of any proprietary or intellectual property rights in the contribution that are reasonably and personally known to the contributor.

The contributor does not represent that he or she personally knows of all potentially pertinent proprietary and intellectual property rights owned or claimed by the organization he represents (if any) or third parties.

For patents, please refer to the ES Patent Policy at EFD 103:2026.

NOTE This is in alignment with IETF RFC 2026, 10.3.1.5 and IETF RFC 2026, 10.3.1.6.

5.8 Warranty

The contributor is deemed to agree to the terms and conditions set in this document when submitting a contribution.

The contributor represents that there are no limits to the contributor's ability to make the grants acknowledgments and agreements detailed in this document that are reasonably and personally known to the contributor.

This agreement is made on his or her own behalf, on behalf of the organization (if any), or on behalf of the owners of any propriety rights in the contribution.

Where a contribution identifies contributors in addition to the contributor(s) who provided it, the submitter(s) represent that each other named contributor was made aware of and agreed to accept the same terms and conditions on his own behalf, on behalf of any organization he may represent and any known owner of any proprietary rights in the contribution.

This warrant is perpetual and will not be revoked by ES or its successors or assigns.

NOTE This is in alignment with IETF RFC 2026, 10.3.1. == Trademarks

5.9 General

The requirements listed in this clause aligns with ITU-T Marks Guidelines 2.0.

5.10 Enosema marks

The following marks identify the Enosema Foundation and its deliverables:

— the name "Enosema" and the Enosema Foundation logo;

— the document identifier prefixes "EFS", "EFD", "EFG", "EFR" and "EFA" (EFD 102:2026); and

— "FERIN", a non-registered trademark first used by the Enosema Foundation.

Impartiality of deliverables, non-endorsement usage, and proper use requirements apply to the Enosema marks in the same manner as they apply to external marks.

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5.11 Impartiality of deliverables

Proper names, trademarks, service marks or certification marks of specific companies/organizations, products or services should not be included in the text of an ES standardization deliverable if it appears that they might cause any endorsement effect on a reader of the deliverable.

NOTE ES standardization deliverables generally provide a description of features from which interoperable implementations can be developed. As such, the appearance of an endorsement of products, services and companies/ organizations are not acceptable.

5.12 Non-endorsement usage

Trademarks, service marks or certification marks may be included in an ES standardization deliverable in order to describe certain technologies or services pertaining to the relevant marks, given that the inclusion does not cause appearance of an endorsement.

Here are some situations where this usage is acceptable.

a) The mark is used to refer to a particular facility that is widely recognized as a sole authorized source.

   EXAMPLE 1 A reference to a proprietary service with a trademark associated with a specific protocol identifier allocated by the ITU-T or IANA.

b) The mark is contained in the designation of a reference.

   EXAMPLE 2 Standards bodies often include their name as part of the identifier of their standards. A deliverable may reference “ISO/IEC xxxx”, “ITU-T xxxx”, where “ISO”, “IEC” and “ITU-T” are protected marks.

c) The mark is a well-known reference to a standardized industry approach.

   EXAMPLE 3 “TBX”, the TermBase eXchange format specified in ISO 30042.

5.13 Proper use references

With justifiable reasons, it is permissible to make “proper use” references to marks owned by an external party in an ES standardization deliverable, however the usage shall adhere to the following guidelines set below in order to avoid infringement of rights relating to such marks.

A mark shall only be used as part of accurate, factual statements as a means to identify (but not to endorse) a particular object (such as the designations of referenced standards in the text of a deliverable).

Marks should be used in accordance with the following guidelines:

a) a mark should be used as a proper adjective followed by a generic name or noun;

   NOTE Marks are proper adjectives that indicate the source of goods, services or things, and not to be used as a verb or noun.

b) marks must not be combined in text;

c) marks must not be altered, shortened or abbreviated. == Software

5.14 General

In situations where software is included in ES standardization deliverables, the following rules must be adhered to.

5.15 Source code contributions

Software contributions included in a standardization deliverable must have its source code made available free of charge and not require implementers to be subject to a third-party license that does not meet the software licensing requirements set forth in this clause.

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The license of a software contribution shall permit use, modification and redistribution of the software for any purpose, including in derivative works, without discrimination.

The copyright notice and the applicable license of the software shall be clearly identified in the deliverable.

NOTE This is in alignment with ITU Software Copyright Guidelines.

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Bibliography

[1] EFD 102:2026, *Enosema Directive: Standard document requirements*

[2] IETF RFC 2026, S. BRADNER and INTERNET ENGINEERING TASK FORCE (IETF). *The Internet Standards Process — Revision 3*. RFC Publisher; RFC Series.

[3] ITU Software Copyright Guidelines, *ITU Software Copyright Guidelines*, 7/12/2011

[4] ITU-T Marks Guidelines 2.0, *ITU-T GUIDELINES RELATED TO THE INCLUSION OF MARKS IN ITU-T RECOMMENDATIONS, Issue 2.0*, November 2005.

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