enosema

DIRECTIVE
Directive

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Enosema Directive: Patent 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. == Introduction

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1 Scope

This document provides the ES patent policy, which governs all standardization deliverables developed through the ES standardization process.

The ES patent policy is identical to the ISO/IEC/ITU common patent policy in content, except where:

— entity names such as “ISO”, “IEC”, “ITU-T” and “ITU-R” were changed to “ES”;

— deliverables and processes pertaining to those entities have been changed to their counterparts within ES.

Detailed arrangements arising from patents (licensing, royalties, etc.) are left to the parties concerned, as these arrangements might differ from case to case.

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.

ISO/IEC/ITU common patent policy, *ISO/IEC/ITU common patent policy*, https://isotc.iso.org/livelink/livelink/fetch/2000/2122/3770791/Common_Policy.htm

Enosema Directive: Patent policy

3 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.

As a proponent of open standards, ES does not endorse mandatory usage of patents within ES Standards. The Enosema Board of Directors has decided to align IPR practice with major international standardization bodies including ISO, IEC and ITU.

4 Purpose

This document describes the policy of ES with regards to patent usage within ES deliverables and provides a “code of practice” that is simple and straightforward.

ES deliverables are drawn up by technical, not patent, 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 patent embodiment in such deliverables.

5 Terms and definitions

No terms and definitions are listed in this document.

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

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

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

6 Patent information transparency policy

ES does not provide authoritative or comprehensive information about evidence, validity or scope of patents or similar rights.

However, the fullest available information shall be disclosed in any ES-published standard.

Therefore, any party participating in the work of ES shall, from the outset, draw the attention of the President and TCB of ES, to any known patent or to any known pending patent application, either their own or of other organizations, although ES is unable to verify the validity of any such information.

In a joint deliverable developed with other standardization bodies, IPR requirements of all such standardization bodies who will be publishing the deliverable shall be satisfied.

7 Licensing requirements on patent holders

7.1 General

If an ES deliverable is developed and such information as referred to in Clause 6 has been disclosed, one of the following three situations may arise.

7.2 Situation 1: Licensing free-of-charge

The patent holder is willing to negotiate licences free of charge with other parties on a nondiscriminatory basis on reasonable terms and conditions.

Such negotiations are left to the parties concerned and are performed outside ES.

7.3 Situation 2: Licensing in a non-discriminatory manner

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 ES.

7.4 Situation 3: Licensing in other manners

The patent holder is not willing to comply with the provisions of either 7.2 or 7.3.

In such case, the deliverable shall not include provisions that depends on the patent.

8 Patent declaration requirements

Whatever the licensing requirements (Clause 7) are, the patent holder must provide a written statement to be filed at ES, using the appropriate “Patent Statement and Licensing Declaration” Form.

This statement must not include additional provisions, conditions, or any other exclusion clauses in excess of what is provided for each case in the corresponding boxes of the form.

The form is provided in EFD 104:2026.

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Bibliography

[1] ISO/IEC Directives, Part 1, *ISO/IEC Directives, Part 1, Procedures for the technical work*.

[2] ISO/IEC Directives, Part 2, *ISO/IEC Directives, Part 2, Principles and rules for the structure and drafting of ISO and IEC documents*.

[3] EFD 101:2026, *Enosema Directive: Standardization and publication*

[4] EFD 104:2026, *Enosema Directive: Guidelines for the implementation of the Enosema patent policy*

[5] ISO/IEC Directives, Part 1, Consolidated ISO Supplement, *ISO/IEC Directives, Part 1, Consolidated ISO Supplement, Procedures specific to ISO*

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