

## IEC code of conduct for delegates and experts, Declaration of Patents and Language at meetings

### Extract from IEC code of conduct for delegates and experts

At the beginning of each TC/SC meeting, the chair should draw the attention of delegates to this document as follows: “Delegates are reminded that general guidance on the conduct of delegates and experts taking part in IEC meetings and contributing to IEC work is given in the document ‘IEC code of conduct for delegates and experts’, available on the IEC website”.

See [IEC Code of conduct for technical work | IEC](#)

### Extract from ISO/IEC Directives Part 1 Ed 16

#### **2.14 Reference to patented items** (see also Annex I)

**2.14.1** If, in exceptional situations, technical reasons justify such a step, there is no objection in principle to preparing an International Standard in terms which include the use of items covered by patent rights – defined as patents, utility models and other statutory rights based on inventions, including any published applications for any of the foregoing – even if the terms of the standard are such that there are no alternative means of compliance. The rules given below shall be applied.

**2.14.2** If technical reasons justify the preparation of a document in terms which include the use of items covered by patent rights, the following procedures shall be complied with:

- a) The proposer of a proposal for a document shall draw the attention of the committee to any patent rights of which the proposer is aware and considers to cover any item of the proposal. Any party involved in the preparation of a document shall draw the attention of the committee to any patent rights of which it becomes aware during any stage in the development of the document.
- b) If the proposal is accepted on technical grounds, the proposer shall ask any holder of such identified patent rights for a statement that the holder would be willing to negotiate worldwide licences under his/her rights with applicants throughout the world on reasonable and non-discriminatory terms and conditions. Such negotiations are left to the parties concerned and are performed outside ISO and/or IEC. A record of the right holder's statement shall be placed in the registry of the ISO Central Secretariat or IEC Central Office as appropriate. If the right holder does not provide such a statement, the committee concerned shall not proceed with inclusion of an item covered by a patent right in the document without authorization from ISO Council or IEC Council Board as appropriate.
- c) A document shall not be published until the statements of the holders of all identified patent rights have been received unless the council board concerned gives authorization.

**2.14.3** Should it be revealed after publication of a document that licences under patent rights, which appear to cover items included in the document, cannot be obtained under reasonable and non-discriminatory terms and conditions, the document shall be referred back to the relevant committee for further consideration.

### Extract from ISO/IEC Directives Part 1 Ed 12

#### **I.5 Conduct of meetings**

Early disclosure of Patents contributes to the efficiency of the process by which Recommendations | Deliverables are established. Therefore, each Technical Body, in the course of the development of a proposed Recommendation | Deliverable, will request the disclosure of any known Patents essential to the proposed Recommendation | Deliverable.

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Chairs of Technical Bodies will, if appropriate, ask, at an appropriate time in each meeting, whether anyone has knowledge of patents, the use of which may be required to practice or implement the Recommendation | Deliverable being considered. The fact that the question was asked shall be recorded in the meeting report, along with any affirmative responses.

As long as the Organization concerned has received no indication of a Patent Holder selecting paragraph 2.3 of the Patent Policy, the Recommendation | Deliverable may be approved using the appropriate and respective rules of the Organization concerned. It is expected that discussions in Technical Bodies will include consideration of including patented material in a Recommendation | Deliverable, however the Technical Bodies may not take position regarding the essentiality, scope, validity or specific licensing terms of any claimed Patents.

### Extract from ISO/IEC Directives Part 2 Ed 8

#### **30 Patent rights**

For patented items, the rules given in ISO/IEC Directives, Part 1, shall be followed. Where patent rights have been identified during the preparation of the document, they shall be included in the Introduction.

### Extract from ISO/IEC Directives Part 1 Ed 14

**The following extract from the Directives must now be read in conjunction with SMB Decision 154/11**

#### **Translation scenarios / Languages**

SMB invited CB to amend the clauses in the Statutes and Rules of Procedure concerning the use of languages in the IEC. The current text does not reflect the reality of the situation, in particular the use of languages in meetings and implied requirement that the IEC publishes all documents in English, French and Russian. SMB also recommended that it might be useful to designate a definitive language of development for each publication. CB Decision 2015/014, IEC working language, supported the SMB proposal. *The Council Board supported the proposal from the Standardization Management Board (SMB) to amend to Clause 20 of the IEC Rules of Procedure to require the designation of a definitive language of development for each publication. The Council Board also confirmed that amendments should be proposed to clarify that IEC International Standards may be published in any of the official languages but that English shall be the only language for all IEC meetings.*

While the official languages are English, French and Russian, meetings are conducted in English by default.

The National Body for the Russian Federation provides all interpretation and translation into or from the Russian language.

The chair and secretariat are responsible for dealing with the question of language at a meeting in a manner acceptable to the participants following the general rules of ISO or IEC, as appropriate. (See also Annex E.)

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**Extract from ISO/IEC Directives Part 1 Ed 5**

**E.7 Technical meetings**

**E.7.1 Purpose**

The purpose of technical meetings is to achieve as full agreement as possible on the various agenda items and every effort shall be made to ensure that all delegates understand one another.

**E.7.2 Interpretation of debates into English and French**

Although the basic documents may be available in both English and French, it has to be determined according to the case whether interpretation of statements expressed in one language should be given in the other language

- by a volunteer delegate,
- by a staff member from the secretariat or host National Body, or
- by an adequately qualified interpreter.

Care should also be taken that delegates who have neither English nor French as mother tongue can follow the meeting to a sufficient extent.

It is impractical to specify rules concerning the necessity of interpreting the debates at technical meetings. It is essential, of course that all delegates should be able to follow the discussions, but it may not be altogether essential to have a word-for-word interpretation of each statement made.

In view of the foregoing, and except in special cases where interpretation may not be necessary, the following practice is considered appropriate:

- a) for meetings where procedural decisions are expected to be taken, brief interpretation may be provided by a member of the secretariat or a volunteer delegate;
- b) at working group meetings, the members should, whenever possible, arrange between themselves for any necessary interpretation on the initiative and under the authority of the convenor of the working group.

To enable the secretariat responsible for a meeting to make any necessary arrangements for interpretation, the secretariat should be informed, at the same time as it is notified of attendance at the meeting, of the languages in which the delegates are able to express themselves and of any aid which delegates might be able to provide in the matter of interpretation.

In those cases where a meeting is conducted mainly in one language, the following practice should be adopted as far as is practicable in order to assist delegates having the other language:

- a) the decision taken on one subject should be announced in both languages before passing to the next subject;
- b) whenever a change to an existing text is approved in one language, time should be allowed for delegates to consider the effect of this change on the other language version;
- c) a summary of what has been said should be provided in the other language if a delegate so requests.

**E.7.3 Interpretation into English and French of statements made in other languages**

When at a meeting of a technical committee or a subcommittee a participant wishes, in view of exceptional circumstances, to speak in any language other than English or French, the chair of the

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session shall be entitled to authorize this, for the session in question, provided that a means of interpretation has been secured.

In order to give all experts an equal opportunity to express their views at meetings of technical committees and subcommittees, a very flexible application of this provision is recommended.