

White Paper Modernising ICT Standardisation in the EU The Way Forward

Identification

Your name

Feodora von Franz

Country of Residence Belgium

Are you? responding on behalf of an association,

Could you please tell us the nature of your association or organisation

TechAmerica Europe (formerly AeA Europe) represents leading European high-tech operations with US parentage. Collectively we invest Euro 100 bn in Europe and employ approximately 500,000 Europeans. Our parent company, the TechAmerica (formerly AeA and ITAA), is the oldest and largest high-tech association in the US.

Policy Questions

(a) Do you agree that the attributes for standards to be associated with EU legislation and policies should be integrated in the future ICT standardisation policy as set out in section 2.1 of the White Paper? Yes

Explain why you agree

The proposed list of attributes contains a set of high level criteria. However, TechAmerica Europe believes there is a need to further refine the list of attributes on a more detailed level so that a clear measurement line for each attribute is given. Regarding the attribute on IPR, the current wording suggests that royalty-free is a sub-category of (F) RAND and that the decision of the licensing model is always, case-by-case, a matter of discretion of the IPR holder. This ignores the fact that several of the leading standards bodies in software and IT standardization have explicitly chosen royalty-free models or policies with specific provisions that are not just a sub-category of (F) RAND, and these models or policies have been achieved by the membership consensus of these organizations.

(b) Do you agree that the public procurement provisions of CD 87/95 should be updated so that public authorities can more easily acquire ICT services, applications and products that fulfil their specific requirements and in particular an adequate level of interoperability? Yes

Please explain why you agree

TechAmerica Europe supports the Commission's proposals to update CD 87/95 in order to enable public procurement to purchase ICT products, solutions and services that implement global ICT standards. A revised CD 87/95 should thus compliment the current procurement Directive 2004/18/EC as indicated in the white paper.

(c) Do you agree with the need to clarify that when they are defined within the context of ICT strategies, architectures and interoperability frameworks, the implementation of standardised interfaces can be made a requirement in public procurement procedures, provided the principles of openness, fairness, objectivity and non-discrimination and the public procurement directives are applied? Yes

Explain why you agree

We strongly support this proposal. Within the context of ICT strategies, architectures and interoperability frameworks, these principles support the concept of open standards being referenced in public procurement.

(d) Do you agree that standardisation and research stakeholders, in particular ETPs, should be regularly consulted to ensure that relevant European research initiatives contribute most effectively to ICT standardisation activities? Yes

explain why you agree

TechAmerica Europe agrees that standardization and research stakeholders should be regularly consulted as suggested, however, we would advise caution. Standardization is not appropriate for all research projects and thus should not be forced upon research initiatives but should be used when it fits into the objectives of the overall

project.

(e) Do you agree that standardisers should adapt their procedures where necessary to ensure that contributions from research organisations, consortia and projects facilitate the timely production of ICT standards?

Yes

explain why you agree

TechAmerica Europe believes that the proposed changes to the EU ICT standardization policy regarding cooperation with consortia and fora will provide a valuable new framework for a better linkage between R&D projects standardization.

(f) Do you agree that Member States should similarly consider regular consultation of standardisation and research stakeholders to ensure that relevant national research initiatives contribute most effectively to ICT standardisation activities?

Yes

explain why you agree

TechAmerica Europe supports this concept. It must be remembered, however, that the ICT sector is dependant on global standardization when and where ever possible. The possible standardization of national research initiatives must be viewed in a global context.

(g) Do you agree that ICT standards developing organisations should, subject to competition law and respecting the owner's IPR: implement clear, transparent and balanced IPR policies which do not discriminate and allow competition among different business models, ensure the effectiveness of procedures for IPR disclosures, and consider a declaration of the most restrictive licensing terms, possibly including the (maximum) royalty rates before adoption of a standard as a potential route to providing more predictability and transparency?

Yes

explain why you agree

TechAmerica Europe agrees with the analysis given in the White Paper on the issues around the intersection of IPR and ICT standardization. We also welcome the recent announcement of an IPR study with regarding standardization. We would recommend that the Commission considers ways of supporting standards organizations in improving their IPR policies in terms of predictability of total cost, license terms and conditions , and the binding character of given commitments. The Commission should clearly require such improvements for more certainty in licensing terms and the cost for European standardization and strongly support them globally. Instead of the Commission 's light suggestions that SDOs consider a declaration of the most restrictive licensing terms, incentives to do so should be put in place.

(h) Do you agree with enabling the referencing of specific fora and consortia standards in relevant EU legislation and policies subject to a positive evaluation of the standard and the forum or consortium processes with regard to the attributes list as described in chapter 2.1 of the White Paper?

Yes

Explain why you agree

TechAmerica Europe welcomes the proposal to implement a process for cooperation with consortia and fora. It is a fact that a large proportion of global ICT specifications are developed in consortia and fora, and thus outside of the formal organizations and it is essential to have a process for directly referencing these specifications in EU policies and in public procurement. We do support the process of accepting specific standardization deliverables rather than organizations and of making the eligibility of the specifications subject to a positive assessment based on the list of objectives. Direct referencing of global specifications from consortia and fora will further help to prevent the duplication of efforts.

(i) Do you agree that better cooperation should be promoted between fora and consortia and ESOs on the basis of a process which would lead to standards issued by the ESOs?

No

explain why you disagree

TechAmerica Europe finds it difficult to recognise any added value when standards developed in consortia and fora are re-issued by the ESOs. The leading consortia such as OASIS, W3C and IETF have implemented processes exceeding the formally recognised standards organizations in terms of transparency as well as regarding the opportunity for all

interested stakeholders to contribute and comment on standardization projects and to participate in the consensus process.

(j) Do you agree with the establishment of a permanent, multi-stakeholder, ICT standardisation policy platform (with a wider membership than the Member State SOGITS Committee previously established by Council Decision 87/95) to advise the Commission on all matters related to the European ICT standardisation policy and its effective implementation?	Yes
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explain why you agree
 TechAmerica Europe supports the establishment of the multi-stakeholder High Level Strategy Platform as an advisory committee to the Commission on ICT standardization policy matters, and agrees with the tasks this platform will perform as outlined in the White Paper. The selection of organizations represented in this future platform is of critical importance. We do believe that the ICT Steering Group has been a major success and we would strongly recommend that the same consideration for stakeholders is given when determining the constituency of the HLSP.

(k) Do you agree that the ESOs and other ICT standard developing organisations should be invited to review the function and composition of the current ICTSB to make it more efficient?	Yes
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explain why you agree
 TechAmerica Europe does foresee a future role for the ICTSB as an operational unit complementary to the High Level Strategy Platform. However, it would be as a strategic advisory committee to the Commission. We would envisage that the ICTSB would continue to comprise the SDOs relevant for Europe, including consortia and fora as is already the case today. However, we would expect the ICTSB to revise its processes and working procedures to effectively cover this future role.

General Remarks: Are there any other comments you would like to add concerning the White Paper or review of ICT standardisation policy?

Meta Informations

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