SGIP Catalog of Standards Development Process
Statement: SAE

SGIP Document Number: to be assigned
Version: 0.7
Date: July 7, 2011
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Contents
1 Background and Purpose ............................................................................................ 4
2 Properties of Voluntary consensus standards bodies .................................................. 5
   2.1.1 Openness ................................................................................................... 5
   2.1.2 Balance of interests ............................................................................... 5
   2.1.3 Due process .............................................................................................. 5
   2.1.4 An appeals process ............................................................................... 5
   2.1.5 Consensus .............................................................................................. 5
3 Intellectual Property Rights (IPR) .............................................................................. 5
   3.1 Applicable IPR-related policies .................................................................. 7
   3.2 IPR-related disclosure ............................................................................... 8
4 Document References ................................................................................................. 8
5 Revision History ......................................................................................................... 9
   5.1 Contributors .............................................................................................. 9
1 Background and Purpose

The entity proposing inclusion of a Standard into the Catalog shall provide materials describing the process under which the proposed specification was developed. This document is part of the required information provided to the SGIP as described in section 4.1 step 2 in the Catalog of Standards Process Description document [1].

The National Technology Transfer and Advancement Act (NTTAA) [2] describes characteristics desirable to aid the uptake of technologies developed, in part, with United States government support. OMB Circular A-119 [3] elaborates the definitions and requirements for voluntary consensus standards. Support for these characteristics is therefore encouraged, although not required.

The organization should make statements of support for the maxims “i” through “v” which are quoted below for reference (NTTAA reference, OMB Circular A-119 section 4 “What are Voluntary, Consensus Standards”; refer to ANSI Essential Requirements: Due process requirements for American National Standards (January 2010) for definitions of terms) [4]. The organization should indicate how support for each maxim in the excerpt below, from the above-mentioned reference, is achieved for the standard:

a. For purposes of this policy, "voluntary consensus standards" are standards developed or adopted by voluntary consensus standards bodies, both domestic and international. These standards include provisions requiring that owners of relevant intellectual property have agreed to make that intellectual property available on a non-discriminatory, royalty-free or reasonable royalty basis to all interested parties. For purposes of this document, "technical standards that are developed or adopted by voluntary consensus standard bodies" is an equivalent term.

(1) "Voluntary consensus standards bodies" are domestic or international organizations which plan, develop, establish, or coordinate voluntary consensus standards using agreed-upon procedures. A voluntary consensus standards body is defined by the following attributes:

(i) Openness.
(ii) Balance of interests.
(iii) Due process.
(iv) An appeals process.
(v) Consensus, which is defined as general agreement, but not necessarily unanimity, and includes a process for attempting to resolve objections by interested parties, as long as all comments have been fairly considered, each objector is advised of the disposition of his or her objection(s) and the reasons why, and the consensus body members are given an opportunity to change their votes after reviewing the comments.

Additionally, the intellectual property rights associated with use of this standard should be described.
2 Properties of Voluntary consensus standards bodies

For each section below, provide a description of how this SSO supports the topic. If the SSO does not have support for the topic, make that assertion.

Standards from SAE International are used to advance mobility engineering throughout the world. The SAE Technical Standards Development Program is now-and has been for nearly a century-among the organization's primary provisions to those mobility industries it serves: aerospace, automotive, and commercial vehicle. Today's SAE standards product line includes almost 10,000 documents created through consensus standards development by more than 240 SAE Technical Committees with 450+ subcommittees and task groups. These works are authorized, revised, and maintained by the volunteer efforts of more than 9,000 engineers, and other qualified professionals from around the world. Additionally, SAE has 60 US Technical Advisory Group (USTAGs) to ISO Committees.

As an ANSI-accredited Standards Development Organization, (ASD) SAE must comply with the ANSI Essential Requirements (ANSI ER) [4] and the ANSI ER document has criteria for Openness, Balance of Interests, Due Process, Appeals Process, and Consensus, along with many other criteria including ANSI’s Patent Policy.

2.1.1 Openness
See ANSI ER Sections 1.1 and 2.1

2.1.2 Balance of interests
See ANSI ER Sections 1.3 and 2.3

2.1.3 Due process
See ANSI ER, various Sections

2.1.4 An appeals process
See ANSI ER Sections 1.8 and 2.8

2.1.5 Consensus
See ANSI ER Sections 1.7 and 2.7

3 Intellectual Property Rights (IPR)

Summarize the IPR policy of the SSO and provide links to where the policy may be retrieved or provide it in conjunction with this document (to the extent that this information is publicly available).

SAE’s intellectual property is its most valuable asset. As such, the Society expends considerable resources maintaining and protecting its rights to its intellectual property. SAE reserves the right to copyright any of its print products, electronic products, databases, audio/visual products and any other subject matter. This is intended to protect SAE and its members from unauthorized copying and distribution of SAE intellectual
property. SAE's intellectual property may only be used in a manner that furthers the organization's purposes.

It is also SAE policy that the copyrights and other intellectual property rights of third parties be respected and not infringed upon by SAE or any of its committees, or any employee, member or other person acting on behalf of SAE.

**PATENTS**

It has been traditionally the position of SAE to avoid the use of patented technology in Technical Reports where the principal objective is conformance to the Technical Report as defined by the SAE Technical Standards Board. However, with the advent of more complex technologies, it is not always possible to provide Technical Reports that meet today's needs without incorporating technologies that are patented. It has become difficult, if not impossible; to develop standards that do not take advantage of or otherwise incorporate the use of products, systems or process that implementation would necessarily infringe a claim of such a patent.

**From SAE Technical Standards Board Governance Policy:**

**Patent Disclosure and Inclusion of Patents in SAE Technical Reports**

There is no objection in principle to drafting a proposed SAE Technical Reports in terms that include the use of a patented invention, if it is considered that technical reasons justify this approach.

Each SAE Technical Committee or SAE working group member would be required to disclose at specified times during a development process all patents and patent applications that are owned, controlled or licensed by the member, member’s employer or third party and that the member believes may become essential to the draft specification under development. The member would make this disclosure based on the member’s good faith and reasonable inquiry.

If SAE International receives a notice that a proposed SAE Technical Report may require the use of an invention claimed in a patent, the procedures in this clause shall be followed.

**Statement from Patent Holder**

Prior to approval of such a proposed SAE Technical Report, SAE International shall receive from a party identified as a patent holder or the patent holder (in a form approved by SAE International) either:

1) assurance in the form of a general disclaimer to the effect that such party does not hold and does not currently intend holding any invention claimed in a patent the use of which would be required for compliance with the proposed SAE Standard

or,

2) assurance that:
a) a license will be made available without compensation to the applicants desiring to utilize the license for the purpose of implementing the standard; or

b) a license will be made available to applicants under reasonable terms and conditions that are demonstrably free of any unfair discrimination for the purpose of complying with the standard.

**Record of statement**
A record of the patent holder’s statement shall be placed and retained in the files of SAE International.

**Notice**
When SAE International receives from a patent holder the assurance set forth in a) or b) above, the standard shall include a note as follows:

NOTE – The user’s attention is called to the possibility that compliance with this standard may require use of an invention covered by patent rights.

By publication of this standard, no position is taken with respect to the validity of this claim or of any patent rights in connection therewith. The patent holder has, however, filed a statement of willingness to grant a license under these rights on reasonable and nondiscriminatory terms and conditions to applicants desiring to obtain such a license for the purpose of complying with the standard. Details may be obtained from SAE International.

**No Responsibility for identifying patents**
SAE International shall not be responsible for identifying patents for which a license may be required by an SAE Technical Report or for conducting inquiries into the legal validity or scope of those patents that are brought to its attention.

**Copyrights**
If the Technical Committee is aware of any copyrights applicable to published material, then such material shall not be used in a Technical Report.

**Trademarks**
No proprietary names or trademarks shall be used in Technical Reports without written permission of the owner together with a generic description of the product sufficient

**3.1 Applicable IPR-related policies**
Provide information regarding all applicable IPR-related policies that were in effect with regard to the candidate Standard (including policies relating to patents, copyrights, confidential information, marks and logos and any other proprietary rights).

**SAE Technical Standards Board Governance Policy**
See, [http://www.sae.org/about/intelproperty/](http://www.sae.org/about/intelproperty/) Also see, ANSI Patent Policy in the ANSI ER
3.2 *IPR-related disclosure*

Provide information regarding any IPR-related disclosures or licensing statements regarding the candidate Standard.

In accordance with the SAE IPR Policy, disclosed Patent Holders are asked to submit a Letter of Assurance Form to SAE.

http://www.sae.org/about/intelproperty/patentassurance.doc

4 Document References


5 Revision History

SGIP Document Number: to be assigned

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<table>
<thead>
<tr>
<th>Rev. Number</th>
<th>Date</th>
<th>Author/Editor</th>
<th>Summary of Revisions</th>
</tr>
</thead>
<tbody>
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<td>Original Version</td>
</tr>
</tbody>
</table>

5.1 Contributors

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