



**VITA Standards Organization (VSO)
Policies and Procedures**

**VMEbus INTERNATIONAL TRADE ASSOCIATION
dba VITA**

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I. VSO Policies and Procedures

The following sections are policies and procedures for the VITA Standards Organization which is chartered to develop and maintain VITA standards.

1 Introduction

The VITA Standard Organization (VSO) was formed in the fall of 1993, under Section 5.6 of the VITA Bylaws, to provide VITA members with a method of developing and promoting open technology standards. One of the first projects of the VSO was the development of a new standard for the VMEbus. That standard was based on the original VMEbus standard written by Motorola, Mostek, and Signetics and placed into the public domain in the early 1980's.

Once the VSO completed its work, the proposed standard was submitted under the American National Standards Institute (ANSI) standards process and VITA 1, VME64, was recognized as an American National Standard (ANS) in 1995. Since that time, the VSO has continued to develop and promote open standards for the critical and intelligent embedded computing industry.

The procedures to develop standards within the VSO are outlined in this document. Once a proposed standard has completed the VSO process, its sponsors may decide to seek further recognition through any of a variety of national or international standards organizations, primarily the American National Standards Institute (ANSI), or the sponsors may decide to leave the standard within the VSO.

These Policies and Procedures have been treated like a standards document and have been constructed by the group. Any rights given to any individuals or associated organizations have been given by a majority ballot of the VSO membership. It is the philosophy of the VSO that it starts with all the rights, and votes powers and rights away, shares rights, or maintains rights exclusively.

1.1 Changing this document

Changes to this document require a 2/3 majority of the votes cast at a duly called VSO meeting of VITA members who meet the voting eligibility requirements as stated in Section 5: Voting.

1.2 References

- Bylaws of VMEbus International Trade Association, dba VITA (www.vita.com)
- ANSI Essential Requirements: Due process requirements for American National Standards (www.ansi.org)
- Robert's Rules of Order Newly Revised (<http://www.robertsrules.com>)
- VITA Essential Patent Declaration Form (www.vita.com/Essential-Patents)
- Implementing VITA's Patent Policy (www.vita.com/Implementing_Patent_Policy)
- FAQs on VITA's Patent Policy (www.vita.com/VITA-Patent-Policy-FAQ)

1.3 Electronic Communications

Electronic means for publication and transmission of information **shall** be used wherever possible to reduce costs, improve efficiency, and reduce the time to achieve standardization. However, anyone who is part of the ballot process or desires to be part of the ballot process and does not have access to electronic means may request notifications, ballots, proposed standards, and other communications in paper format.

Any reference to documents or communications in these procedures **shall** be understood to include the use of electronic means unless stated otherwise. For example, a requirement that something be provided “in writing” may be submitted via electronic means such as email.

2 Structure and Membership

The VSO is an independent organization within VITA that reports directly to the VITA Secretariat. The Secretariat is responsible for ensuring due process, developing consensus, and providing administrative support. The technical director of VITA **shall** hold the position of VITA Secretariat.

2.1 Membership

Membership in the VSO is by individual and is open to any individual (person) or consultant employed by an organization that is a VITA corporate member (regular, senior, or sponsor) or VITA Distinguished Fellow.

2.2 Non-VITA Members

Individuals who are not employed by VITA member companies may attend VSO meetings at the discretion of the VSO Chair.

3 Officers

All officers of the VSO **shall** be individuals from regular, senior, or sponsor members of VITA. The officer positions **shall** be:

- a. Chair
- b. Vice Chair
- c. Secretary

The chair and vice-chair are elected positions. The secretary may be appointed by the chair at each meeting. If the chair does not appoint a secretary, then it **shall** be the responsibility of the VITA technical director to take the meeting minutes and post the minutes after the meeting.

3.1 Term

The term of each elected officer **shall** be from April 1 until March 31 of the following year.

3.2 Vacancies

In the event that the chair position becomes vacant, the vice-chair will assume the chair position and serve out the remainder of the chair’s term. In the event that the chair position becomes vacant, and the vice-chair is not able to serve, the VITA Secretariat will appoint a nominating committee from the VSO membership and call an election at the next scheduled meeting to elect the chair position.

3.3 Officer Removal

The VITA Secretariat has the responsibility to monitor the performance of any of the officers of the VSO and, based on their inability to fulfill their roles in a manner that concurs with the stated goals of the VSO, terminate their term subject to 3/4 majority agreement of the voting membership.

3.4 Responsibilities of the Officers

The responsibilities and duties of the officers of the VITA Standards Organization **shall** include, but not be limited to:

Chair (elected position)

- Schedule meetings
- Prepare agenda
- Chair meetings
- Keep informed of technical status of all related standards activities
- Present status report for all activities at each meeting
- Provide leadership and guidance to working groups in the development of standards
- Accept appeals and serve on appeals board (See Section 11: Appeals.)
- Coordinate activities with VITA office as required

Vice Chair (elected position)

- Act in the absence of the Chair
- Consult with Chair on all matters relevant to the VSO
- Coordinate activities with VITA office as required

Secretary (appointed position)

- Takes minutes of all VSO meetings
- Use appropriate means to provide a copy of the minutes to the members.
- Revise the minutes as required.

4 Election of Officers

A nominations committee composed of three VSO members **shall** be appointed by the chair at least 60 days prior to the election. The committee **shall** solicit candidates from the VSO membership and **shall** present one or more candidates for the offices of chair and vice-chair at least 45 days before the election.

Balloting for the election will start 31 days prior to the March VSO meeting or on March 1 if no VSO meeting is scheduled for March. The balloting for the election will conclude one day prior to the March VSO meeting or on March 30 if no VSO meeting is scheduled for March. The results will be tabulated and announced at the VSO meeting or on March 31 if no VSO meeting is held in March.

The balloting will be conducted via email or electronic balloting. Eligible balloters will consist of VSO members who are eligible per requirements defined in Section 5.1: Eligibility. The ballot will consist of the list of candidates put forth by the nominations committee and will contain a space for one write-in candidate. Balloters will be able to vote for one candidate each for each office presented.

In the case that no candidate receives a majority of the ballots cast, an immediate runoff election will be held at the March VSO meeting between the two candidates with the most votes. In the event that no meeting is held in March, a two-week runoff election will be held via email or electronic balloting starting on April 1 and finishing on April 14 between the two candidates with the most votes.

5 Voting

5.1 Eligibility

VSO members are entitled to vote at a VSO regular or special meeting if they have attended at least two out of the previous four regular meetings. Those members attending a VSO regular or special meeting

who meet the eligibility requirements for that meeting may by a 2/3rds majority vote grant a member voting privilege on a specific issue even though that member's attendance requirements are not met.

Only VSO attendees of VITA members can vote. Non-VITA members in attendance at VSO meetings cannot vote.

5.2 Majority Vote and 2/3 Majority Vote

Unless otherwise noted, a majority vote means more than half of the votes in the affirmative cast by persons legally entitled to vote, excluding abstentions, at any duly called meeting.

Likewise, unless otherwise noted, a 2/3 majority vote means 2/3rds of the votes in the affirmative cast by persons legally entitled to vote, excluding abstentions, at any duly called meeting.

5.3 Abstentions

Abstentions are a decision not to vote and are therefore not counted as votes cast.

5.4 The 75/75 Balloting Requirement

The 75/75 balloting requirement requires that 75% of the ballots from the official ballot list must be returned marked either AFFIRMATIVE or NEGATIVE and 75% of the returned ballots must be marked AFFIRMATIVE. A ballot that is marked ABSTAIN is NOT considered a vote and will NOT be counted towards the 75% returned ballot requirement. A ballot marked REMOVE ME will result in the balloter being removed from the working group and from the ballot list. The 75% ballot return requirement will be calculated using the revised ballot list.

6 VSO Meetings

6.1 Regular Meetings

The VSO will meet on a regular basis, typically from four to six times per year, or as determined by the membership. Meetings will be for the purpose of informing members of on-going developments, for providing working and study groups with time to work on standards development, and for conducting any other business as required. The date, time, and place of such meetings will be posted at least 30 days in advance on the VITA website. Attendance may be in person or by teleconference. A teleconference attendee must at least attend the on-going developments session to be recorded as attended.

6.2 Special Meetings

A special meeting of the VSO may be called by the technical director of VITA, by the chair of the VSO, or by the chair of the VSO upon written request of at least ten (10) eligible voting members of the VSO when it is necessary to take action on some item or items of urgency that cannot wait until a regular meeting. The date, time, place and reason for the special meeting must be transmitted to VSO members 15 days prior to the date of the meeting.

6.3 Duly Recognized Meeting

A duly recognized meeting of the VSO will be any regular or special meeting as defined in Section 6.1: Regular Meetings and Section 6.2: Special Meetings.

6.4 Conduct of the Meeting

The latest edition of “Robert’s Rules of Order Newly Revised” **shall** be used to conduct VSO meetings. Where Robert’s Rules of Order differ with specific provisions of these Policies and Procedures, these Policies and Procedures **shall** take precedence.

The patent policy, anti-trust policy, ITAR policy, and code of conduct statements **shall** be available and accepted at all meetings.

Availability may be in three forms:

1. may accompany all meeting announcements.
2. **shall** be displayed during web-based conference calls.
3. **shall** be read if any member is unaware or does not acknowledge acceptance of these three statements.

Acceptance at the meeting **shall** be as follows. The chair **shall** read the following “Acceptance of VSO patent, anti- trust, ITAR policy, and code of conduct statements”:

“This meeting is covered by the patent, anti-trust, ITAR policy, and code of conduct statements per VSO policy and procedures posted on its website. These policy statements are displayed here via web meeting. Please acknowledge by voice vote that you accept these policies. Affirmative?” (Wait for response)

“Negative?” (Wait for response) ... if there are negatives then please read the relevant policy statements.

“Are there any patent disclosures related to the contents of this meeting?”

6.4.1 Patent Policy Statement

*“VITA’s patent policy regarding the use of patented technology in standards is posted on its website. Working group members **shall** read these policies. Working group members who are aware of any patents or patent applications that might be essential to the standards proposed by this working group are required to disclose them. Are there any disclosures?”*

6.4.2 Anti-trust Policy Statement

“These standards are developed in accordance with applicable antitrust and competition laws. Meetings amongst competitors to develop these standards are to be conducted in accordance with these laws.

Hence do not in fact or appearance, discuss or exchange information regarding:

- *Individual company prices, terms and conditions of sale, profits, margins or cost.*
- *Industry pricing policies and levels.*
- *Changes in industry production, capability, or inventories.*
- *Individual company bids or bid procedures.*
- *Plans of individual companies concerning the design, characteristics, production, distribution, marketing, or introduction dates of particular products, including proposed territories or customers.*
- *Matters relating to individual suppliers that might have the effect of excluding them from any market.*
- *Individual company market shares for any products or for all products.”*

6.4.3 ITAR Policy Statement

Optionally the ITAR (International Traffic in Arms Regulations) statement **shall** be read.

“This working group is an international community, thus no ITAR sensitive information shall be exchanged during this meeting.”

6.4.4 Code of Conduct Statement

Optionally the Code of Conduct statement **shall** be read, Section 19: Code of Conduct,

“Members of the working group are encouraged to read and abide by the VSO Code of Conduct.”

7 Standards Development

The development of a standard starts within the VSO in either a study group or a working group and moves through two distinct phases as shown in Figure 7-1: Process Flow. Development of the proposed standard is conducted during Phase 1. Phase 2 details the process for completing an approval ballot. Prior to Phase 2 the working group chooses one of two tracks. Track 1 leads to a VITA Standard while Track 2 leads to an American National Standard (ANSI)/VITA Standard.

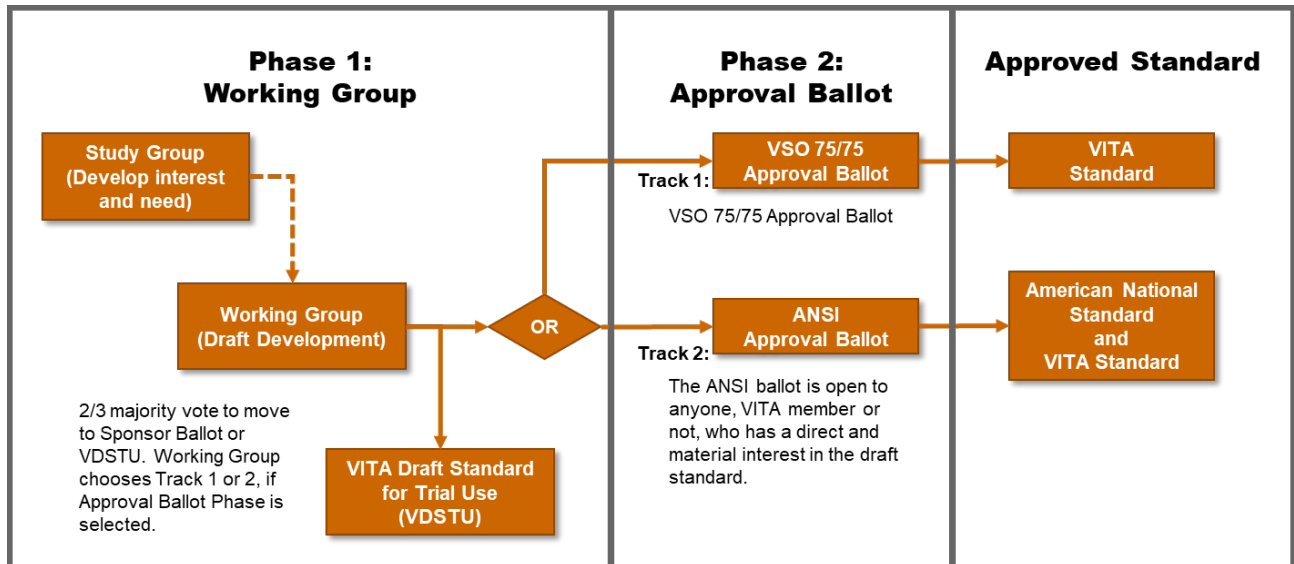


Figure 7-1: Process Flow

7.1 Phase 1 – Development by Working Group

7.1.1 Study Groups

A study group may be formed by any VSO member that wishes to investigate the need and to ascertain the interest in developing a standard. The VSO member requesting recognition of the study group is designated the chair of the study group. Membership in the study group is open to any VSO member. The study group chair is responsible for scheduling meetings, soliciting members, keeping minutes of meetings, and reporting activities to the VSO Chair.

A study group can move to working group status by meeting working group formation criteria as outlined in Section 7.1.2: Working Groups. A study group would disband if interest in developing the standard was not achieved within a period deemed reasonable by the VSO membership.

Forming a study group is NOT a prerequisite for forming a working group. A standards activity can begin in a working group if the working group formation criteria are met.

7.1.2 Working Groups

The development of a draft proposed standard takes place in a working group. Three (or more) organizations which are VITA corporate members (regular, senior, or sponsor) may form a working group to carry out the development of a specific standard. Working groups achieve official VSO recognition by meeting the following criteria.

1. The development of the standard **shall** be proposed by three (or more) organizations that are VITA members and wish to sponsor the development of the standard
2. The scope of the proposed standard **shall** fall within the technical scope of the VSO.
3. The sponsors **shall** notify the VSO Chair of their intentions to form a working group and must submit a document with the purpose, scope, and an outline for the proposed standard.

To maintain formal working group status, the working group **shall** continue to have at least three sponsors that are in good standing VITA corporate members and **shall** continue to show forward progress in the development of the standard. If the number of sponsors falls below three, then the remaining sponsor(s) may recruit new sponsor(s), may return to study group status, or may disband the working group.

An ANSI PINS (Project Initiation Notification System) form **shall** be submitted by VITA staff within two weeks of working group formation for any proposed standard that is intended to be submitted for ANSI approval. VITA **shall** notify ANSI within two weeks upon the cancelation of any project for which a PINS form was submitted. In the event a Working Group which had NOT initially intended to submit their standard for ANSI approval ultimately decides to do so, the PINS form must then be submitted to ANSI within two weeks of that decision being made.

7.1.3 Working Group Officers

Working groups **shall** have a chair, a draft editor, and optionally a vice-chair and secretary. The chair and the draft editor may be the same individual. All working group officers **shall** be initially appointed by the sponsor organizations. After two meetings, the working group may hold elections to either reaffirm or elect new officers.

The working group chair is initially appointed by the sponsor organizations and **shall** be responsible for the following:

1. Soliciting membership for the working group.
2. Maintaining a working group membership list.
3. Scheduling meetings.
4. Leading working group meetings.
5. Keep meeting minutes unless the working group has a secretary.
6. Reporting development status to the VSO Chair.
7. Completing development in a timely manner.
8. Submitting a draft for one or more working group ballots.

The working group vice-chair (optional position) is responsible for coordinating working group activities with the chair and acting in the chair's absence.

The working group secretary (optional position) is responsible for writing and keeping the minutes of the working group meetings.

The working group draft editor is responsible for maintaining and updating the official draft copy.

7.1.4 Working Group Membership

Any employee of or a consultant to a VITA member company or VITA Distinguished Fellow may be a member of a working group. To become a member of a working group, the interested individual **shall** formally register with the chair of the working group committee. Working groups have three levels of

participation: sponsor, participant, and observer. Sponsors make a formal commitment to support the standards activity and put forth extra effort to achieve standardization.

Participants attend meetings on a regular basis and are expected to cast votes on all working group ballots and any other committee matters. Observers may attend meetings and may vote in ballots. Members may change their status by submitting a notification in writing to the working group chair.

7.1.5 Working Group Meetings

Working group meetings may be held at VSO meetings or at other times as required. Meetings may be held in person or via teleconference or other electronic means.

The date, time, and place of such meetings, if held in person, must be transmitted to the working group members 15 days or more in advance. In the case of teleconference or other electronic media meetings, notice must be transmitted to the working group members 48 hours or more in advance. Complete meeting contact information must be included with each notice.

Robert's Rules of Order Newly Revised **shall** be used to conduct VSO working group meetings. Where Robert's Rules of Order differ with specific provisions for working groups as outlined in these Policies and Procedures, these Policies and Procedures take precedence.

The chair **shall** also read the "Acceptance of VSO patent, anti-trust, ITAR policy, and code of conduct statements" per Section 6.4: Conduct of the Meeting, at the start of the meeting.

7.1.6 Working Group Balloting

Balloting is by individual. Before a formal working group ballot, the working group chair is responsible for compiling a working group balloting list. The list **shall** consist of the sponsors, participants, and observers of the working group.

The period for a working group ballot may be up to 28 days depending on the material to be reviewed. The length of the ballot period **shall** be proposed by the working group chair with majority agreement of the working group. The working group chair may extend the ballot period up to an additional 14 days in order to allow more time for voting upon request of any of the working group members.

Each member of a consensus body **shall** vote one of the following positions (or the equivalent):

- a) **AFFIRMATIVE**;
- b) **AFFIRMATIVE**, with comment;
- c) **NEGATIVE**, with reasons (the reasons for a negative vote **shall** be given and if possible **shall** include specific wording or actions that would resolve the objection);
- d) **ABSTAIN**. A voter may abstain for any reason. Abstentions are not counted as returned ballots.

Note: Comments are informational only and are not considered in counting the vote as AFFIRMATIVE. Any changes considered necessary will require a NEGATIVE vote. An AFFIRMATIVE ballot that is conditional on a change in the draft will be considered to be a NEGATIVE ballot.

For votes on membership and officer-related issues, the affirmative/negative/abstain method of voting **shall** be followed. Votes with regard to these issues need not be accompanied by reasons and need not be resolved or circulated to the consensus body.

During the ballot period one or more follow-up notifications **shall** be sent to voters who have not voted, reminding them that the ballot will close as of the specified date and urging them to vote.

Working group ballots **shall** be coordinated with the VITA technical director. VITA maintains a web-based system for balloting.

7.1.7 Developing Consensus

The working group chair **shall** review all working group ballots with the working group and **shall** attempt to resolve the NEGATIVE ballots and all comments. The results of working group ballots **shall** be reported to the VSO Chair.

No specific number of working group ballots is required. However, most draft proposed standards require more than one ballot before the draft is completed.

Either a working group ballot or a recirculation of a working group ballot is required when one or more substantive changes are made to a draft. A substantive change is any change which affects compliance with the draft.

If a substantive change has been made to the draft, it is the responsibility of the chair of the working group to decide between a new, full working group ballot or a re-circulation ballot.

7.1.8 Recirculation Ballot

A recirculation ballot is an extension of the prior ballot which provides that each unresolved objection and attempt at resolution, and any substantive change made in a proposed standard **shall** be reported to the consensus body in order to afford all members of the consensus body the opportunity to respond, reaffirm or change their vote.

A recirculation of a previous ballot **shall** be held if substantive changes have been made as a result of the resolution of NEGATIVE comments or if unresolved NEGATIVE comments remain. Recirculation ballots **shall** be 14 days in length.

During a recirculation ballot, balloters are given the opportunity to change their previous ballot from AFFIRMATIVE to NEGATIVE or NEGATIVE to AFFIRMATIVE. Balloters may let their previous ballot response stand by taking no action in the recirculation ballot. Balloters who have abstained in the previous ballot may ballot in the recirculation ballot. Balloters **shall** consider only the changes from the previous ballot and any unresolved negative comments.

7.1.9 Moving to Phase 2

Once the draft has received a 2/3 majority vote in a working group ballot, the working group may decide to move to Phase 2 Approval Ballot, and to select a track to pursue by a 2/3 majority vote.

7.1.10 Draft Availability

During Phase 1, the draft will be made available through web posting or other means to working group members and other members of VITA. Requests from non-VITA members for draft copies during Phase 1 **shall** be reviewed and approved/disapproved by the VITA Executive Director or his designee.

7.2 Phase 2 - Approval Ballot

Standards development takes place in one of two tracks during Phase 2 as decided by the working group during Phase 1. Track 1 becomes a VITA standard, Track 2 moves to become an ANSI National Standard/VITA Standard.

7.2.1 Track 1 – VITA Standard

The result of Track 1 is a VITA Standard.

To be recognized as a standalone VITA standard, the draft proposed standard must pass a 75/75 VSO ballot. At least 75% of the ballots must be returned and 75% of the returned ballots must be affirmative per Section 5.4: The 75/75 Balloting Requirement. The VSO ballot is opened to working group members and to any other VSO members who register to vote. Once the ballot is completed and if the 75/75 criteria is met, the draft proposed standard **shall** be considered a VITA standard.

7.2.2 Track 2 – American National Standard

The result of Track 2 is an American National Standard / VITA Standard. Once a project has successfully completed the VSO process the working group responsible for the project may decide to work for ANSI recognition. The requirements and procedures for this track are detailed in this section.

7.2.2.1 Coordination of Standards Efforts with Other Groups

Good faith efforts **shall** be made by the responsible working group to resolve potential conflicts between and among existing American National Standards and the proposed American National Standard.

7.2.2.1.1 Definition of Conflict

Conflict within the standards process refers to a situation where, viewed from the perspective of a future implementer, the terms of one standard are inconsistent or incompatible with the terms of the other standard such that implementation of one standard under terms allowable under that standard would preclude proper implementation of the other standard in accordance with its terms.

7.2.2.1.2 Coordination/Harmonization

The VSO **shall** make a good-faith effort to resolve potential conflicts and to coordinate standardization activities intended to result in harmonized American National Standards (ANS)¹. A “good faith” effort **shall** require substantial, thorough and comprehensive efforts to harmonize a candidate standard and existing ANSs. Such efforts **shall** include, at minimum, compliance with all relevant sections of these procedures. VITA **shall** retain evidence of such efforts in order to demonstrate compliance with this requirement to the satisfaction of the appropriate ANSI body.

7.2.2.2 Notification of standards development and coordination

Timely and adequate notice of standards development activity **shall** be announced in media suitable to demonstrate that a meaningful opportunity for participation, debate and deliberation by all directly and materially interested parties in a fair and equitable manner was provided.

Working groups are encouraged to consult any relevant international or regional guides that may impact the proposed standard and **shall** advise the relevant ANSI-Accredited U.S. Technical Advisory Group (TAG)(s) if the standard is intended to be submitted for consideration as an ISO, IEC or ISO/IEC JTC-1 standard.

¹ Note that Section 8.4.3: Withdrawal for Cause by ANSI provides a mechanism by which a directly and materially interested party who has been or will be adversely affected by the ANS may at any time request the withdrawal of an existing ANS.

7.2.2.2.1 Forms

The following forms are typically used in the Phase 2, Track 2 process.

Form	Description	Source
PINS	Project Initiation Notification System: This form is required for proposed new and revised American National Standards (ANS) and national adoptions of ISO, IEC and ISO/IEC standards as ANS; it is optional for a reaffirmation or withdrawal of an ANS. It is not required for ANS under Continuous Maintenance. It is used to request an announcement in ANSI Standards Action of a project initiation notification and is intended to complement other such announcements made by ANSI-Accredited Standards Developers (ASD) to advise the public and materially affected interests of standards development activity and the opportunity for participation.	ANSI
BSR-8/108	Public Review Request: This form is used to request a public review announcement in ANSI Standards Action in order to provide an opportunity for public comment on a draft American National Standard (ANS).	ANSI
BSR-9	Proposed American National Standard (ANS) Formal Submittal Checklist	ANSI

7.2.2.2.2 Project Initiation Notification System (PINS)

The working group **shall** follow the requirements stated in Section 2.5.1 of ANSI *Essential Requirements* regarding the submission and handling of a PINS form.

At the initiation of a project to develop or revise an American National Standard, notification **shall** be transmitted to ANSI, by VITA staff, using the PINS form, or its equivalent, for announcement in [ANSI's Standards Action](#). Comments received in connection with a PINS announcement **shall** be handled in accordance with these procedures.

A statement **shall** be submitted and published as part of the PINS announcement that **shall** include:

- a) an explanation of the need for the project; and
- b) identification of the stakeholders (e.g., telecom, consumer, medical, environmental, etc.) likely to be directly impacted by the standard; and
- c) the interest categories that will or are expected to comprise the consensus body.

If the response to sub-section (b) changes substantively as the standard is developed, a revised PINS form **shall** be submitted and published.

If VITA receives a written request for additional information or for the opportunity to discuss the proposal from a directly and materially interested outside party or current consensus body member, during the 30-day PINS comment period, VITA **shall** respond in writing within 30 days of the comment deadline.

7.2.2.2.2.1 PINS Exceptions

A PINS form is not required in connection with the decision to maintain an ANS under the stabilized maintenance option. A PINS form may be submitted, but is not required, at the initiation of a project to reaffirm or withdraw an American National Standard.

7.2.2.2.2.2 Assertions of conflict or duplication

If VITA receives written comments within 30 days from the publication date of a PINS announcement in [ANSI's Standards Action](#), and said comments assert that a proposed standard duplicates or conflicts with an existing ANS or a candidate ANS that has been announced previously (or concurrently) in [ANSI's Standards Action](#), a mandatory deliberation of representatives from the relevant stakeholder groups **shall** be held within 90 days from the comment deadline. Such a deliberation **shall** be organized by VITA and

the commenter and **shall** be concluded before VITA may submit a proposed standard for public review. If the deliberation does not take place within the 90-day period and VITA can demonstrate that it has made a good faith effort to schedule and otherwise organize it, then VITA will be excused from compliance with this requirement. The purpose of the deliberation is to provide the relevant stakeholders with an opportunity to discuss whether there is a compelling need for the proposed standards project.

7.2.2.2.3 PINS Deliberation Report

The outcome of a PINS deliberation **shall** be conveyed in writing (the “Deliberation Report”) within 30 days after the conclusion of the deliberation by VITA to the commenter and to ANSI. Upon submission of the Deliberation Report, VITA may continue with the submission of the proposed standard for public review. If additional deliberations take place, they **shall** not delay the submission of the proposed standard for public review, and an updated Deliberation Report **shall** be conveyed within 30 days after each deliberation. Any actions agreed upon from the deliberations **shall** be carried out in a reasonably timely manner, but normally should not exceed 90 days following the deliberation. Subsequently, VITA **shall** include all of the Deliberation Report(s) with the BSR-9 submittal to the ANSI Board of Standards Review (BSR) for consideration should the developer ultimately submit the subject standard to ANSI for approval. Stakeholders who were involved in the PINS deliberation process may also file separate Deliberation Report(s) with ANSI and VITA within 30 days after conclusion of any deliberation for consideration by the BSR, if the standard is submitted to ANSI for approval.

While the outcome is not binding, unless binding provisions are agreed to by the developer, participants are encouraged to develop a consensus on whether and how the standards development project should proceed.

7.2.2.2.3 Public Review

The working group **shall** follow the requirements stated in Section 2.5.2 of ANSI *Essential Requirements* regarding the conduct of Public Review in the development of a proposed standard.

Proposals for new American National Standards and proposals to revise, reaffirm, or withdraw approval of existing American National Standards **shall** be transmitted to ANSI using the BSR-8 form, or its equivalent, for listing in [ANSI's Standards Action](#) in order to provide an opportunity for public comment. If it is the case, then a statement of intent to submit the standard for consideration as an ISO, IEC or ISO/IEC JTC-1 standard **shall** be included as part of the description of the scope summary that is published in [ANSI's Standards Action](#). The comment period **shall** be a minimum of forty-five days if the document is available in an electronic format, deliverable within one day of a request, and the source (e.g., URL or an E-mail address) from which it can be obtained by the public is provided to ANSI for announcement in [ANSI's Standards Action](#).

Such listing may be requested at any stage in the development of the proposal, at the option of the VSO, and may be concurrent with final balloting. However, any substantive change subsequently made in a proposed American National Standard requires listing of the change in [ANSI's Standards Action](#).

7.2.2.3 Development of the Public VITA Consensus Body Balloters List²

The working group **shall** develop a list of potential balloters consisting of those organizations, companies, government agencies, standards developers, individuals, etc., known to be, or who have indicated that they are, directly and materially affected by the standard. The ballot list **shall** be constructed to meet the requirements described in this section regarding balance and lack of dominance. No individual **shall** represent more than one balloter.

2 This section is derived from Sections 1.2, 1.3, 2.2 and 2.3 of ANSI Essential Requirements.

7.2.2.3.1 Openness

Timely and adequate notice of any action to create, revise, reaffirm, or withdraw a standard, and the establishment of a new consensus body **shall** be provided to all known directly and materially interested parties. Notice **should** include a clear and meaningful description of the purpose of the proposed activity and **shall** identify a readily available source for further information. In addition, the member's name (or if membership is by organization, the name of the organization with a point of contact), affiliation and interest category of each member of the consensus body **shall** be made available to interested parties upon request. The affiliation of a consensus body member refers to the entity that the consensus body member represents, which may or may not be that person's employer. If the consensus body member is serving in an individual capacity, then the name of the individual, their sponsors³ (if any) and interest category shall be made available upon request. Contact information is not required.

7.2.2.3.2 Lack of dominance

The standards development process **shall** not be dominated by any single interest category, individual or organization. Dominance means a position or exercise of dominant authority, leadership, or influence by reason of superior leverage, strength, or representation to the exclusion of fair and equitable consideration of other viewpoints.

7.2.2.3.2.1 Benchmark: Lack of dominance

Unless it is claimed in writing (including electronic communications) by a directly and materially interested party that a single interest category, individual or organization dominated the standards development process, no test for dominance is required.

7.2.2.3.3 Balance

The standards development process **shall** have a balance of interests. Participants from diverse interest categories **shall** be sought with the objective of achieving balance. If a consensus body lacks balance, outreach to achieve balance **shall** be undertaken.

The interest categories appropriate to the development of consensus in any given standards activity are a function of the nature of the standards being developed. Interest categories shall be discretely defined, cover directly and all materially interested parties and differentiate each category from the other categories. Such definitions shall be available upon request.

Consensus body members, including consultants⁴, typically are classified in accordance with the business or other interests of their employers or the sponsors they represent in connection with the standards development activity. In cases where a consensus body member receives funding from the sponsoring ANSI-Accredited Standards Developer (ASD) or other entities, that information shall be disclosed to determine if it will impact the member's interest classification.

7.2.2.3.3.1 Benchmark: Balance

The criteria for balance are that no single interest category constitutes a majority of the membership of a consensus body.

7.2.2.3.3.2 Interest Categories

In order to determine if potential balloters are interested in participating, the working group **shall** conduct a pre-ballot interest survey, in which the working group informs the potential balloters in writing about the use of the ballot method for developing evidence of consensus, and, if the potential balloters are interested in

3 A sponsor is defined as an organization that provides funds specifically to support the individual's participation in the standards activities of the consensus body

4 For purposes of this section, a "consultant" is someone who agrees to provide professional service in exchange for compensation, financial or otherwise.

participating, obtains an appropriate interest category classification. The working group's communications **shall** contain the title, designation, abstract/scope, and intended application of the standard, and an explanation of the ANSI function in the role of standards development and balloting. The time for response **shall** be at least 14 days from the date of the working group's communication and **shall** be so noted in the communication.

Potential balloters will be asked to specify one of the following interest categories when registering for a ballot.

- **Producer:** An appropriate participant designs, develops, or manufactures products using this standard.
- **User-Industrial/Commercial:** An appropriate participant is using this standard in an industrial or commercial application.
- **User-Government/Military:** An appropriate participant is a representative of a government agency using this standard in a government or military application.
- **Research:** An appropriate participant is involved in research or consulting that may use this standard.
- **General Interest:** An appropriate participant is an interested party not necessarily involved in producing, directly using, or acquiring product using this standard and **should** include only those whose business or other interests are not covered by another discretely defined interest category.

The affiliation⁵ and interest category of each member of the balloting body **shall** be made available to interested parties upon request.

Where appropriate, additional interest categories **should** be considered.⁶ However, interest categories shall not be created for the purpose of avoiding balance requirements.

Once an interest survey has been completed for a standard, it need not be repeated for subsequent balloting of the document. In addition, the working group may conduct a single interest survey for a group or category of standards. A balloter who has indicated a desire to be on the working group's list for a particular category or categories of standards **shall** receive the proposed standard(s), electronic ballot(s), and all appropriate information.

7.2.2.4 *Conduct of the Ballot*

The working group **shall** provide, at minimum, the following information to all balloters so requesting unless the working group has previously supplied this information:

- a) the purpose and intended application of the standard;
- b) an explanation of ANSI's function in the voluntary consensus standards system;
- c) a copy of the ballot list, consisting of the name, affiliation, and category of interest of each balloter;
- d) a copy of the complete proposed American National Standard or the relevant portion under consideration when the balloter has previously received the complete standard;
- e) official ballot(s) to all balloters.

5 Affiliation refers to the entity that the consensus body member represents (which may or may not be that person's employer). If the consensus body member is serving in an individual capacity, then the name of the individual, that person's employer and interest category should be available. Contact information is not required.

6 Further interest categories that may be used to categorize directly and materially interested parties consist of, but are not limited to, the following: a) Consumer; b) Directly affected public; c) Distributor and retailer; d) Industrial/commercial; e) Insurance; f) Labor; g) Manufacturer; h) Regulatory agency; i) Testing laboratory.

Upon request, the working group **shall** provide to the balloter a reasonable number of copies of the document being considered, to allow for a speedy determination of position by the balloter. Should the document contain material that is not to be considered for approval as an American National Standard, such as an introduction or annex, a clear statement **shall** be included indicating those portions of the standard that are to be considered for approval by ANSI.

The ballot form used by the working group **shall** provide opportunity for the balloter to indicate its position, with the advice that, in order to receive consideration, objections must be accompanied by supporting written reasons and, where possible, proposals for a solution to the problem raised. At least one follow-up **shall** be sent to balloters not responding. The ballot may be closed at the end of 30 days, or sooner if all balloters have responded. An extension of up to 10 days **shall** be granted upon request from any balloter giving a legitimate reason.

Those not on the ballot list who have a direct and material interest in the standard have an opportunity to participate in the review of the standard during the public review process, announced in [ANSI's Standards Action](#).

Approval of a new standard, revision or reaffirmation of an existing standard, or an addendum to part or all of an existing standard **shall** require the return of a majority of the ballot list and the approval of a 2/3 majority of the votes cast. Abstentions are not counted.

7.2.2.5 Disposition of Comments from Ballot and Public Review

Prompt consideration **shall** be given to the written views and objections of all participants, including those commenting on the PINS announcement or public comment listing in [ANSI's Standards Action](#).

In connection with an objection articulated during a public comment period, or submitted with a vote, an effort to resolve all expressed objections accompanied by comments related to the proposal under consideration **shall** be made, and each such objector **shall** be advised in writing (including electronic communications) of the disposition of the objection and the reasons therefor. If resolution is not achieved, each such objector **shall** be informed in writing that an appeals process exists within procedures used by the VSO. Each objection resulting from public review or submitted by a member of the consensus body, and which is not resolved **shall** be reported to the ANSI Board of Standards Review by VITA staff.

When this process is completed in accordance with the written procedures of the VSO, the working group may consider any comments received subsequent to the closing of the public review and comment period or **shall** consider them in the same manner as a new proposal. Timely comments that are not related to the proposal under consideration **shall** be documented and considered in the same manner as submittal of a new proposal. The submitter of the comments **shall** be so notified.

Each unresolved objection and attempt at resolution, and any substantive change made in a proposed standard **shall** be reported to the consensus body in order to afford all members of the consensus body an opportunity to respond, reaffirm, or change their vote. The consensus body **shall** have 14 calendar days from the date of the notification to change their vote.

A recirculation ballot, if required, **shall** be a minimum of 14 days or when all ballots have been returned.

7.2.2.6 Evidence of Consensus

Consensus is demonstrated, in part, by a vote of the consensus body. Such a vote **shall** be conducted and reported in accordance with the rules set forth herein. Votes for the approval of a document or portion thereof as a candidate standard may be obtained by letter, recorded votes at a meeting or electronic means. All members of the consensus body **shall** have the opportunity to vote. When recorded votes are taken at meetings, members who are absent **shall** be given the opportunity to vote before or after the meeting.

1. The working group **shall** not change a vote unless instructed to do so by the voter. If the change of vote was not submitted in writing by the voter, then written confirmation of such a vote change **shall** be provided to the voter by the working group. It is never appropriate for a working group to inform voters that if they are not heard from, their negative vote will be considered withdrawn and their vote will be recorded as an abstention or an affirmative. All negative votes that are not changed at the request of the voter **shall** be recorded and reported to the BSR as outstanding negatives.

2. Working groups **shall** record and consider all negative votes accompanied by any comments that are related to the proposal under consideration. This includes negative votes accompanied by comments concerning potential conflict or duplication of the proposed standard with an existing standard and negative votes accompanied by comments of a procedural or philosophical nature. These types of comments **shall** not be dismissed due to the fact that they do not necessarily provide alternative language or a specific remedy to the negative vote.
3. Working groups are not required to consider negative votes accompanied by comments not related to the proposal under consideration, or negative votes without comments. The working group **shall** indicate conspicuously on the letter ballot that negative votes must be accompanied by comments related to the proposal and that votes unaccompanied by such comments will be recorded as “negative without comments” without further notice to the voter. If comments not related to the proposal are submitted with a negative vote, the comments **shall** be documented and considered in the same manner as submittal of a new proposal. If clear instruction is provided on the ballot, and a negative vote unaccompanied by comments related to the proposal is received notwithstanding, the vote may be counted as a “negative without comment” for the purposes of establishing a quorum and reporting to ANSI. However, such votes (i.e., negative vote without comment or negative vote accompanied by comments not related to the proposal) **shall** not be factored into the numerical requirements for consensus. The working group is not required to solicit any comments from the negative voter. The working group is not required to conduct a recirculation ballot of the negative vote. VITA is required to report the “negative” vote as a “negative without comment” when making their final submittal to the BSR.
4. The working group **shall** maintain records of evidence regarding any change of an original vote.
5. Each member of a consensus body **shall** vote one of the following positions (or the equivalent):
 - a) **AFFIRMATIVE**;
 - b) **AFFIRMATIVE**, with comment;
 - c) **NEGATIVE**, with reasons (the reasons for a negative vote **shall** be given and if possible **shall** include specific wording or actions that would resolve the objection);
 - d) **ABSTAIN** (for any reason).

Note: Comments are informational only and are not considered in counting the vote as AFFIRMATIVE. Any changes considered necessary will require a NEGATIVE vote. An AFFIRMATIVE ballot that is conditional on a change in the draft will be considered to be a NEGATIVE ballot.

7.2.2.7 Submittal of Standard

Upon completion of the procedures for ballot, for disposition of views and objections, and for appeals, the proposed standard **shall** be submitted by VITA staff to ANSI for approval.

The information to be supplied to ANSI **shall** include:

1. Title and designation of the proposed American National Standard.
2. Indication of the type of action requested (that is, approval of a new American National Standard or reaffirmation, revision, stabilized maintenance, or withdrawal of an existing American National Standard).
3. A declaration that applicable procedures were followed.
4. A declaration that the proposed standard is within the scope of the previously registered standards activity.
5. A declaration that conflicts with another American National Standard have been addressed in accordance with these procedures.
6. A roster of the consensus body that indicates: the vote of each member including abstentions and

unreturned ballots, if applicable; the interest category of each member; and a summary thereof.

7. A declaration that all appeal actions related to the approval of the proposed standard have been completed.
8. A declaration that the criteria contained in the ANSI patent policy have been met, if applicable.
9. Identification of all unresolved negative views and objections, with names of the objector(s), and a report of attempts toward resolution.

8 Maintenance of Standards

The VSO **shall** use periodic maintenance (see ANSI’s *Essential Requirements*, Section 4.7.1) with the option to move to stabilized maintenance (see ANSI’s *Essential Requirements*, Section 4.7.3) as appropriate to maintain its Standards.

Standards **shall** be kept current and relevant by means of timely revision, reaffirmation or action to stabilize. Obsolete standards **shall** be withdrawn from ANSI and placed in VITA stabilized maintenance or VITA achieve.

8.1 Typical Life Cycle of a VITA Standard

The **typical** life cycle for a standard, once approved, is to experience one or two revision/reaffirmation cycles of 5 years maximum each cycle. The standard often goes to stabilized maintenance for up to 10 years, with an option to extend an additional stabilized maintenance cycle of up to ten years. At the end of the stabilized maintenance cycle, the standard is reviewed for withdrawal as an ANSI National Standard and retained as a VITA stabilized maintenance standard or archived.

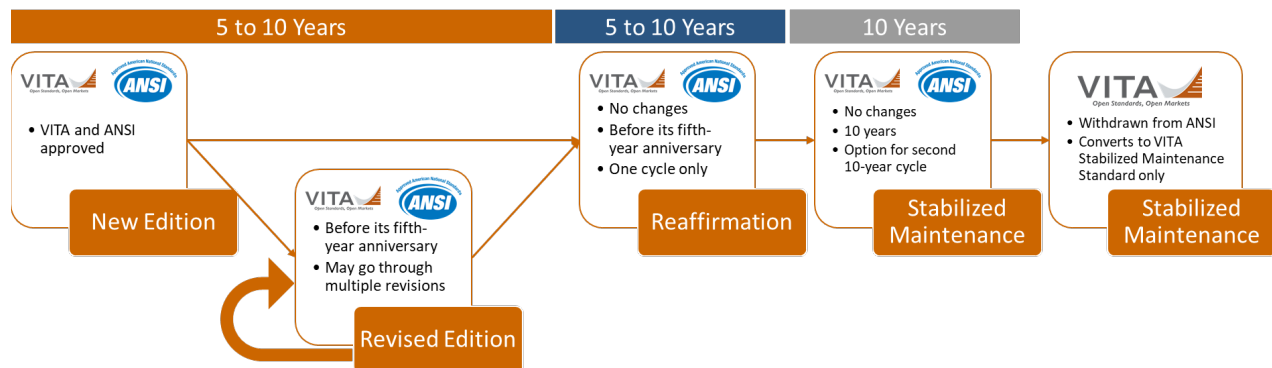


Figure 8-1 Typical Life Cycle of a VITA Standard

8.2 Periodic Maintenance

Periodic maintenance is defined as the maintenance of a standard by review of the entire document and action to revise or reaffirm it on a schedule not to exceed five years from the date of its approval as an American National Standard.

In the event that a PINS form or BSR-8/108 has not been submitted for an American National Standard within five years after its approval, the VSO may request an extension of time to reaffirm or revise the standard, or **shall** withdraw the standard. The request for an extension of time **shall** be submitted to ANSI within thirty days following five years after the approval date of the American National Standard. Requests for extensions **shall** include the program and schedule of work that will lead to revision, reaffirmation, or withdrawal.

No extension of time beyond ten years from the date of approval **shall** be granted for action on a standard. An ANS/VITA standard maintained under the periodic maintenance option **shall** not retain its status as a current ANS/VITA standard beyond ten years from the date of approval. Such approval automatically expires on the tenth anniversary date of approval as an American National Standard.

In the event that an ANS/VITA standard is not reaffirmed, revised, or withdrawn within five years after its approval, the VSO **shall** follow its own procedures to ensure that work is proceeding and **shall** retain confirming documentation. An ANS maintained under the periodic maintenance option **shall** not retain its status as a current ANS beyond ten years from the date of approval. Such approval automatically expires on the tenth anniversary date of approval as an ANS.

The VSO may optionally choose to move to VITA Stabilized Maintenance or to make the standard obsolete by a 2/3 majority vote of eligible VSO members via ballot at a VSO meeting.

8.2.1 Revision or reaffirmation of standards⁷

For standards undergoing periodic maintenance, VITA **shall** decide to revise or reaffirm an American National Standard/VITA standard before its fifth-year anniversary by a consensus body majority vote via ballot. Refer to Section 5.1: Eligibility for VSO meeting voting rules and eligibility requirements.

- **Revisions** involve substantive changes to the main text of the standard. A standard undergoing revision **shall** be considered a new project and must start with Section 7.1: Phase 1 – Development by Working Group.
- **Reaffirmations shall** be accomplished without any substantive change to the main text of the standard. All non-substantive changes in the main text of the standard **shall** be explained, or noted, in a foreword. A standard undergoing an update of references to standards necessary to implement the ANS/VITA standard **shall** be processed as a revision unless the updated reference is only a reaffirmation of the referenced standard. Any substantive changes in such references require processing as a revision. Reaffirmation is accomplished with a 2/3 majority vote of eligible VSO members via ballot at a VSO meeting.

8.3 Stabilized Maintenance

For standards eligible for stabilized maintenance, VITA may decide to move an ANS/VITA standard to stabilized maintenance by a consensus body majority vote via ballot at a regularly scheduled meeting. Refer to Section 5.1: Eligibility for VSO meeting voting rules and eligibility requirements.

A standard that is maintained under the stabilized maintenance option **shall** satisfy the following eligibility criteria:

- a) the standard addresses mature technology or practices, and as a result, is not likely to require revision; and
- b) the standard is other than safety or health related; and
- c) the standard currently holds the status of ANS/VITA Standard and has been reaffirmed at least once; and
- d) at least ten years have passed since the approval or last revision of the standard as an ANS/VITA Standard; and
- e) the standard is required for use in connection with existing implementations or for reference purposes.

The due process and consensus requirements defined herein apply to the decision to maintain a standard under the stabilized maintenance option.

⁷ This section is derived from Section 4.2.1.2 of ANSI's Essential Requirements.

A standard maintained under the stabilized maintenance option is not required to be revised or reaffirmed on a routine 5-year cycle; however, it **shall** be subject to review of such status by the VSO on a 10-year cycle. If it is determined in connection with this review that the standard **shall** continue to be maintained under the stabilized maintenance option and as such does not require revision or withdrawal, then this **shall** be communicated to ANSI by VITA staff and a related announcement **shall** be made in [ANSI's Standards Action](#). Notification to ANSI **shall** be accomplished via the submittal of an informational announcement if the standard will continue to be maintained under the stabilized maintenance option or will be withdrawn, or via a PINS, if the standard will be revised.

If a recommendation is made at any time by a directly and materially interested party that a standard maintained under the stabilized maintenance option requires revision or should be withdrawn, then that recommendation **shall** be considered in the same manner as a new proposal but within a maximum of 60 days from receipt. A recommendation **shall** include rationale to begin a revision, and **shall** not be dismissed due to the fact that it does not necessarily suggest a specific revision. The submitter of such a recommendation **shall** be responded to in writing by the VSO within 60 days of the receipt of the recommendation and advised of the decision relative to the maintenance status of the standard.

A standard that is maintained under the stabilized maintenance option **shall** include a clear statement of the intent to consider requests for change and information on the submittal of such requests.

The decision to maintain a standard under the stabilized maintenance option and the process by which it is maintained **shall** be subject to appeal to the VSO.

8.4 Criteria for Withdrawal of Standards⁸

Standards that have reached the end of their useful life have the option to be withdrawn from ANSI and/or VITA. The following details the withdrawal options available to the VSO.

8.4.1 Withdrawal by VITA

If the VSO wishes to withdraw its approval of one or more of its standards, it may do so with 2/3 majority vote of eligible VSO members via ballot at a VSO meeting. If the VSO does withdraw one or more of its American National Standards, then the VSO **shall** notify ANSI immediately and the standard **shall** be withdrawn as an ANS and announced in [ANSI's Standards Action](#).

8.4.2 Administrative withdrawal by ANSI

An American National Standard **shall** be withdrawn five years following approval if the standard has not been revised or reaffirmed, unless an extension has been granted by ANSI. An American National Standard that has not been reaffirmed or revised within the five-year period, and that has been recommended for withdrawal by ANSI, **shall** be withdrawn at the close of a 30-day public review notice in [ANSI's Standards Action](#). American National Standards that have not been revised or reaffirmed within ten years from the date of their approval as American National Standards or have not been moved to Stabilized Maintenance, **shall** be withdrawn and such action **shall** be announced in [ANSI's Standards Action](#).

8.4.3 Withdrawal for Cause by ANSI

Requests for withdrawal of an ANS/VITA standard may be received by ANSI. Requests for withdrawal of an ANS for cause **shall** be approved by the ANSI Board of Standard Review only upon a sufficient showing that one or more of the following conditions applies:

- a) ANSI's patent policy was violated;
- b) ANSI's requirements for designation, publication, and maintenance were violated;
- c) an American National Standard is contrary to the public interest;

8 This section is derived from Section 4.2.1.3 of ANSI's Essential Requirements

- d) an American National Standard contains unfair provisions;
- e) an American National Standard is unsuitable for national use;
- f) the VSO has failed to make a good faith effort to resolve conflicts; or
- g) if it is determined by the ANSI Executive Standards Council (ExSC) as a result of an audit or appeal that ANSI's due process provisions were not satisfied.

Withdrawals for cause by ANSI must be reviewed and acted upon by the VSO per Section 8.4.1:

Withdrawal by VITA.

8.5 Project Discontinuance

A project to develop a standard **shall** be discontinued:

1. if the number of sponsors falls below three (see Section 7.1.2: Working Groups), or
2. if the working group at a duly called meeting agrees by a majority vote to discontinue the project,
or
3. if the VSO at a duly called meeting agrees by a 2/3 majority vote to discontinue the project due to a lack of action by the working group.

VITA staff must notify ANSI immediately of such actions which will be announced in [ANSI's Standards Action](#).

9 Administration of Standards

This section discusses the administrative requirements for VITA standards.

9.1 Templates

Working groups **shall** use a current approved template for development of draft proposed standards. Working groups making revisions to an existing standard may, at their option, update to current template formats. Substantive changes to the templates **shall** be approved by the VSO.

9.2 Designation of Proposed Standard Projects

Each candidate VSO standard project **shall** carry a designation made up of three fields: project field, title field, Draft field. For example: Example *VITA 46, VPX Baseline Standard, Draft 1.1*.

9.2.1 Project Field

VITA n

n is the VSO project number which is assigned by the VSO administrator sequentially from a master list. n may be an integer digit such as 1, 2, 15, 35, etc. to represent a core document. It may be a decimal number such as 1.1, 3.3, 7.12 to represent a related document.

9.2.2 Title Field

This is the title of the standard: for example, VME64; Raceway Interlink - Physical and Logical Standard; Board Level Live Insertion for VMEbus. The title **shall** be concise but descriptive.

9.2.3 Draft Field

- All projects **shall** start out as Draft 0.1.
- Minor changes such as typographical corrections and rewording **shall** be designated as 0.1a, 0.1b, 0.1c, etc.
- Technical changes, additions, and deletions **shall** move the draft designation to the next digit such as 0.2, 0.3, 0.4, etc.
- No special importance will be given to integer Drafts such as 1.0, 2.0, 3.0, etc. (For example, if a project is approved at Draft 0.8 within the VSO, it will not move to a Draft 1.0 due to approval.)
- The Draft field **shall** also contain the month, day, and year that the Draft is released. For example, Draft 0.3, April 21, 2003.

9.3 Designation of Standards

The VSO **shall** adhere to the procedures outlined in Section 4.4, "Designation of American National Standards", of ANSI's Essential Requirements for these standards.

Standards **shall** be identified by a unique alphanumeric designation and will be assigned the appropriate status designation.

Standards **shall** be marked in such a way as to identify the version of the standard or **shall** be identified by a unique alphanumeric designation in accordance with the guidelines contained herein.

Portions of a published document that were not approved through the consensus process **shall** not contain requirements necessary for conformance with the approved standard and **shall** be (1) clearly identified at the beginning and end of each such portion of the document, or (2) such information **shall** be overprinted on the cover page. These portions of the document **shall** be marked with the following, or similar, explanatory language:

"The information contained in this (portion of a document) is not part of this Standard and has not been processed in accordance with VITA's requirements for a standard. As such, this (portion of a

document) may contain material that has not been subjected to public review or a consensus process. In addition, it does not contain requirements necessary for conformance to the standard.”

VITA standards which achieve ANSI recognition will have the ANSI designation added to their project field and the Draft and date will be dropped. The year that the draft was approved by ANSI will be added to the designation.

The following are recommended designations for VITA approved standards. Designation 1 is used for Track 1. Designations 2, 3 and 4 are used with Track 2.

1. VITA Approved/Revised

- a. This document has successfully completed the VITA process and approval by the consensus body.
- b. This may be an initial approval or revision of the standard.
- c. The standard must be reviewed after no more than five years from last action date.
- d. The standard is to be labeled in this fashion: **VITA xx-yyyy**, where xx is the working group, yyyy is year initially approved or revised.
- e. New International Standard Book Number (ISBN) assigned to standard.
- f. Cover includes: VITA Approved

2. ANSI/VITA Approved/Revised

- a. This document has successfully completed the VITA and ANSI process and approval by the consensus body.
- b. This may be an initial approval or revision of the standard.
- c. The standard must be reviewed after no more than five years from last action date.
- d. The standard is to be labeled in this fashion: **ANSI/VITA xx-yyyy**, where xx is the working group, yyyy is year initially approved or revised.
- e. New ISBN (International Standard Book Number) assigned to standard.
- f. Cover includes: ANSI/VITA Approved and ANSI Approved logo.

3. ANSI/VITA Reaffirmed

- a. This document has successfully completed the VITA and ANSI process and reaffirmed by the consensus body.
- b. There are no substantive changes to the document.
- c. The standard must be reviewed after no more than five years from last action date.
- d. The standard is to be labeled in this fashion: **ANSI/VITA xx-yyyy (Rzzzz)**, where xx is the working group, yyyy is year initially approved or revised, zzzz is year reaffirmed.
- e. Previously assigned ISBN maintained.
- f. Cover includes: ANSI/VITA Reaffirmed and ANSI Approved logo.

4. ANSI/VITA Stabilized Maintenance

- a. This document has successfully completed the VITA and ANSI process and placed in stabilized maintenance status by the consensus body.
- b. There are no substantive changes to the document.
- c. The standard must be reviewed after no more than ten years from last action date.
- d. The standard is to be labeled in this fashion: **ANSI/VITA xx-yyyy (Szzzz)**, xx is the working group, where yyyy is year initially approved or revised, zzzz is year standard entered stabilized maintenance.
- e. Previously assigned ISBN maintained.
- f. Cover includes: ANSI/VITA Stabilized Maintenance and ANSI Approved logo.

5. VITA Stabilized Maintenance

- a. This document has successfully completed the VITA process only or was withdrawn as an ANS, and placed in stabilized maintenance status by the consensus body.
- b. This status may also be assigned when a document is withdrawn from ANSI.
- c. There are no substantive changes to the document.
- d. The standard must be reviewed after no more than ten years from last action date.

- e. The standard is to be labeled in this fashion: **VITA xx-yyyy (Szzzz)**, xx is the working group, where yyyy is year initially approved or revised, zzzz is year standard entered stabilized maintenance.
 - f. Previously assigned ISBN maintained.
 - g. Cover includes: VITA Stabilized Maintenance
6. **VITA Draft Standard for Trial Use**
- a. This document has been approved by the working group for a trial use period not to exceed 36 months.
 - b. The standard is to be labeled in this fashion: **VITA xx-yyyy VDSTU**, xx is the working group, where yyyy is year approve for trial use.
 - c. No ISBN assigned.
 - d. Cover includes: VITA Draft Standard for Trial Use
7. **VITA Archived**
- a. This document has been archived for historical purposes only, it is no longer maintained.
 - b. This status may also be assigned when a document is withdrawn from ANSI.
 - c. The standard is to be labeled in this fashion: **VITA xx-yyyy (Azzzz)**, xx is the working group, where yyyy is year initially approved or revised, zzzz is year standard was archived.
 - d. Cover includes: VITA Archived

9.4 Publication

Publication and sale of VITA standards promotes open technology, promotes members' interests, and generates revenue to fund VITA activities. Through the publication and sale of standards VITA is able to keep members' dues to a minimum while maintaining a high level of services to members.

Approved ANS/VITA Standards **shall** be published by VITA and made available as soon as possible, but no later than six months after approval.

If VITA cannot publish an ANS/VITA Standard within six months following its approval, VITA **shall** request an extension of this deadline from ANSI. Such a request **shall** be in writing, **shall** supply the reason for the delay, and **shall** indicate a firm final date for publication. At its discretion, ANSI may grant an additional period of time for publication.

9.5 Standards Covers

9.5.1 Draft Proposed Standards

VITA maintains a cover template that **shall** be used for draft proposed standards. Working group editors **shall** be sure they are using the most current version. Draft proposed standards **shall** have a cover that clearly states it is a draft. Draft revisions **shall** be included.

9.5.2 Approved Standards

A standard that is approved as a VITA standard **shall** have its cover or title page marked with an approval logo furnished by VITA or the words "a VITA Standard." The VITA approval logo and the words "a VITA Standard" **shall** not be used to identify any standard that has not received approval as a VITA standard by the VSO.

A standard that is additionally approved as an American National Standard **shall** have its cover or title page marked with an approval logo furnished by ANSI or the words "an American National Standard." The ANSI approval logo and the words "an American National Standard" **shall** not be used to identify any standard that has not received approval as an ANS by the VSO.

The status of the standard must be clearly marked.

The revision date must be added. A revision history is preferred.

9.6 Copyright

Standards developed by VSO working groups, draft proposed standards and approved standards, **shall** be considered the property of VITA and **shall** carry the following copyright notice.

Copyright © <current year> by VITA.

The VSO membership at a duly called meeting may by 2/3rd majority approval transfer the copyright to another organization.

9.7 Notification

VITA maintains a template for proposed and approved standards. Working groups **shall** use the currently approved Notices page for draft proposed standards. Approved standards will have the current approved Notices page added at publication.

9.7.1 Draft Proposed Standards

Every draft proposed standard **shall** carry the following notification.

This document is an unapproved draft of a proposed standard. As such, this document is subject to change. Do not specify or claim conformance or compliance to this draft proposed standard.

9.7.2 Approved Standards

The appropriate notifications **shall** be applied to the Notices page. This includes:

- a) Current ANSI notices provided in the current Notices template.
- b) Patent Notice, if applicable, per Section 14.6: Notice.

9.8 Publication Format

Standards and proposed standards are published in electronic formats such as Adobe Portable Document Format (PDF). Other formats may be used as needed.

9.9 Distribution

9.9.1 Proposed standards in Development

During the development of a proposed standard, drafts in electronic form are available to VITA members. Drafts may be provided to non-VITA members with the approval of the VITA Executive Director or his designee.

9.9.2 VITA Standards

VSO approved standards will be entered into the VITA list of publications. Electronic copies will be made available to VITA members at no cost.

9.9.3 ANSI/VITA Standards

Proposed standards that achieve ANSI approval will be entered into the VITA list of ANSI/VITA standard publications. Electronic copies will be made available to VITA members at no cost.

9.10 Pricing of Standards Philosophy

VITA's philosophy in pricing of standards publications is to establish a reasonable price which promotes the adoption of the standard while supporting on-going member activities. Pricing recommendations may be made to the VITA executive director by any VSO/VITA member for consideration by the VITA Board of Directors.

10 “VITA Draft Standard for Trial Use” Process

A proposed standard that is intended for subsequent submittal for recognition as an American National Standard or VITA standard may be published as a "VITA Draft Standard for Trial Use". Proposed standards are put in this status while more research or data is being collected to confirm rules, recommendations, suggestions, permissions or observations within the proposed standard.

10.1 Trial Use Requirements

Draft standards for trial use must be in compliance with VITA's patent policy.

10.2 Decision to Designate a “Draft Standard for Trial Use”

The decision to designate a draft proposed standard that has passed a working group 2/3 majority ballot as a “VITA Draft Standard for Trial Use” **shall** be made by the working group at a duly called meeting by a 2/3 majority vote.

10.3 Right to Appeal

Persons who have directly and materially affected interests in a candidate draft proposed standard for trial use have the right to appeal the decision to designate the standard for draft trial use. See Section 11: Appeals, regarding the appeals process.

10.4 Time Period

The working group responsible for the draft proposed standard may set the period for trial use to any period up to 36 months. The draft standard for trial use **shall** be removed from public distribution at the end of the trial use period if it has not been approved or withdrawn. A draft standard for trial use may only be issued once for any proposed standard.

10.5 Statements in the Draft Standard

The draft standard for trial use **shall** contain an explanation of the motivation for issuing the draft standard for trial use and **shall** indicate what aspects of the standard might be subject to change and what impact these changes would have on the user.

The following statement, or equivalent, **shall** be included on the front cover of the draft standard for trial use:

“Publication of this draft standard for trial use and comment has been approved by VITA. Distribution of this draft standard for trial use and comment shall not continue beyond (xx) months from the date of publication. It is expected that following this (xx) month period, this draft proposed standard, revised as necessary, will be submitted to the American National Standards Institute for approval as an American National Standard. This draft proposed standard is not an American National Standard. Suggestions for revision should be directed to the VITA technical director.”

II. Normative Policies

The following sections contain industry best practice policies that **shall** be implemented by the VSO.

11 Appeals

The provision for appeals is an important element of due process. This section gives general criteria regarding the right to appeal, to whom appeals are made and what may be appealed.

Appeals **shall** be addressed promptly, and a decision made expeditiously. Consideration of appeals **shall** be fair and unbiased and **shall** fully address the concerns expressed.

This section gives general criteria regarding the right to appeal, to whom appeals are made and what may be appealed.

11.1 Appeals at VITA

Parties who are directly and materially interested in and who have been or will be adversely affected by any procedural action or inaction by the VSO with regard to the development of a proposed standard or the revision, reaffirmation, or withdrawal of an existing standard, have the right to appeal. The burden of proof to show adverse effect **shall** be on the appellant. Appeals of actions **shall** be made within 30 days after the date of notification of action or final decision of the VSO; appeals of inactions may be made at any time.

Right to Appeal: Persons who have directly and materially affected interests in the actions of the VSO have the right to appeal. Person(s) wishing to appeal **shall** submit their appeal in writing to the Chair of the VSO. The appeal **shall** state the nature of the concern, any alleged adverse effects, and remedial action that would satisfy the concerns of the appellant.

The Chair of the VSO must convene an appeals board meeting within 30 days of receiving the appeal which will carry out the role of respondent.

The appeals board **shall** consist of three individuals who have not been directly involved in the matter in dispute, and who will not be materially or directly affected by any decision made or to be made in the dispute. At least two members **shall** be acceptable to the appellant and at least two **shall** be acceptable to the respondent. In the event that the appellant and respondent cannot agree on acceptable individuals, the Executive Director of VITA **shall** appoint three individuals to the appeals board that in his/her judgment meet the criteria stated in the first sentence of this paragraph.

The appeals board **shall** render a judgment in writing within 30 days of their first meeting. The judgment **shall** be agreed to by at least two out of the three appeals board members. All judgments by the appeals board are final within the VSO.

12 Liability

VITA and all companies and individuals who contribute to the development of a potential standard make no warranty for the use of the standard and assume no responsibility for consequential damages nor for errors appearing in the standard. VITA will provide official interpretations (see Section 13) of its standards. However, VITA and any companies or individuals involved with such interpretations make no warranty and assume no responsibility for consequential damages as a result of such interpretations.

13 Interpretations

Issues requiring official interpretation of a standard or proposed standard must be submitted in writing to the chair of the VSO. The chair of the VSO will submit the issue to three (3) technical experts for investigation and review. After reviewing, the technical experts will produce an opinion within 30 days. If the experts do not agree on a single interpretation, then a majority opinion and a minority opinion **shall** be issued. Such opinions **shall** be considered opinions only and **shall** not be legally binding. The working group responsible for the standard **shall** review split opinions to determine if a revision to the standard is appropriate.

14 Patent Policy

There is no objection in principle to drafting a VSO proposed standard in terms that include the use of an essential patent claim (one whose use would be required for compliance with that standard), if it is considered that technical reasons justify this approach.

All VSO members, including study and working group members, **shall** follow the procedures set forth in this section. Non-VITA member participants in the VSO/ANSI standards development process are encouraged to bring patents with claims believed to be essential to the attention of the VSO.

If VITA receives a notice that a proposed, revised or approved standard may require the use of such a patent claim that is not already covered by an existing assurance, the procedures in this section shall be followed.

The Patent Policy set forth in this section includes the references: Essential Patent Declaration Form, Implementing VITA's Patent Policy, and FAQs on VITA's Patent Policy .

This section describes the VITA early patent and fair, reasonable, and non-discriminatory (FRAND) license disclosure policy.

14.1 Disclosure of Patents

14.1.1 Disclosure Obligations

Each working group member ("WG Member")⁹ **shall** disclose to the working group ("WG") in writing the existence of all patents and patent applications owned, controlled, or licensed by the VITA member company ("VITA Member Company") the WG Member represents, which are known by the WG Member and which the WG Member believes contain claims that may become essential to the draft VSO proposed standard ("VSO Draft Proposed Standard")¹⁰ of the WG in existence at the time, after the WG Member has made a good faith and reasonable inquiry into the patents and patent applications the VITA Member Company (or its Affiliates¹¹) owns, controls or licenses. An "essential" claim for this purpose means any claim the use of which is necessary to create a compliant implementation and for which there is no technically and commercially feasible non-infringing alternative. Notwithstanding the foregoing, essential claims do not include:

9 For purposes of Section 14, "WG Member" includes all three levels of membership described in Section 7.1.4 of VSO Policies and Procedures.

10 For purposes of Section 14, "Draft VSO Proposed Standard" includes any eventual standard developed and adopted under Track 1 or Track 2 in Section 7.2 as VITA Standard or an American National Standard.

11 For purposes of Section 14, an "Affiliate" is any entity that directly or indirectly controls, is controlled by, or is under common control with, another entity, so long as such control exists. For purposes of this definition, with respect to a business entity, control means direct or indirect beneficial ownership of or the right to exercise (i) greater than fifty percent (50%) of the voting stock or equity in an entity; or (ii) greater than fifty percent (50%) of the ownership interest representing the right to make the decisions for the subject entity in the event that there is no voting stock or equity.

- a) any enabling technologies that may be necessary to make or use any product or portion thereof that complies with [the proposed standard], but are not themselves expressly set forth in [the proposed standard]; or
- b) the implementation or use of standards published or made available outside of VITA, but incorporated by reference in [the proposed standard], even if required for compliance with [the proposed standard]; or
- c) features, functionality, and elements that are designated in [the proposed standard] as references or informational only or as non-mandatory.

The WG Member must provide, on behalf of the VITA Member Company, all patent disclosure information to VSO by completing and submitting, to VITA, an “IP Declaration” (“Declaration”), which is set forth in the Essential Patent Declaration Form.

Approved non-VITA member participants in the ANSI/VITA standards development process are encouraged to bring patents with claims believed to be essential to the attention of VITA by completing and submitting, to VITA, an “IP Declaration” (“Declaration”), which is set forth in the Essential Patent Declaration Form.

14.1.2 Patent Information to be Disclosed

All patents or patent applications to be disclosed under Section 14.2.1 **shall** include the following information:

- a) for issued patents and published patent applications, the patent or patent application number, the associated country and, as reasonably practicable, the relevant portions of the WG’s VSO Draft Proposed Standard; and
- b) in the case of unpublished patent applications, the existence of the unpublished patent applications and, as reasonably practicable, the relevant portions of the WG’s VSO Draft Proposed Standard.

14.1.3 Timing of Patent Disclosure

A VSO member who proposes to VSO a specification for consideration to become a VSO Draft Proposed Standard must disclose all patents and patent applications owned, controlled, or licensed by the VSO member that contain claims that may become essential to the VSO Draft Proposed Standard prior to the date the study group or WG, as applicable, adopts the proposed specification as a VSO Draft Proposed Standard.

Upon formation of a WG, all WG Members must disclose, on behalf of the VITA Member Company they represent, all patents and patent applications owned, controlled, or licensed by the VITA Member Company that contain claims that may become essential to the VSO Draft Proposed Standard within sixty (60) days after the formation of the WG.

In anticipation of a ballot to adopt the VSO Draft Proposed Standard as a VSO or VITA Standard (including an IEC Industry Technical Agreement or an American National Standard), all WG Members must disclose, on behalf of the VITA Member Company they represent, all undisclosed patents and patent applications owned, controlled, or licensed by the VITA Member Company that contain claims that may become essential to the VSO Draft Proposed Standard no later than fifteen (15) days from the date of publication of a VSO Draft Proposed Standard.

In addition, at the commencement of all WG meetings, the WG Chairperson **shall** ask WG Members to disclose, on behalf of the VITA Member Company they represent, any undisclosed patents or patent applications owned, controlled, or licensed by the VITA Member Company that contain claims that may become essential to the VSO Draft Proposed Standard in accordance with the requirements set forth in this Patent Policy. If any WG Member thereupon discloses such a patent or patent application, the WG Chairperson **shall** ask the WG Member to submit and the WG Member **shall** submit, on behalf of the

VITA Member Company they represent, a Declaration with information regarding that patent or patent application within thirty (30) days of the meeting at which the disclosure is made.

14.1.4 Disclosure of Third-Party Patent Claims

Each WG Member who becomes aware of patents or patent applications owned or claimed by a third party that the WG Member believes to contain claims that may become essential to the VSO Draft Proposed Standard of the WG in existence at the time, including but not limited to any such patents that are licensed to the VITA Member Company the WG Member represents, must disclose them, provided that such disclosure is not prohibited by any confidentiality obligation binding upon the WG Member or the VITA Member Company they represent. Any WG Member that discloses third party patent claims does not take a position on the essentiality or relevance of the third-party claims to the VSO Draft Proposed Standard.

14.2 Disclosure of FRAND License

14.2.1 License Terms

Each WG Member agrees, on behalf of the VITA Member Company they represent, that it will grant to any WG Member, VITA Member Company, or third party a nonexclusive, worldwide, non-sublicensable (except to the extent necessary “to have made”), perpetual patent license (or equivalent non-assertion covenant) for its patent claims essential to the VSO Draft Proposed Standard on fair, reasonable and non-discriminatory terms to use, make, have made, market, import, offer to sell, and sell, and to otherwise directly or indirectly distribute products that implement the VSO Draft Proposed Standard. Such license need only extend to the portions of the VSO Draft Proposed Standard for which the license is essential to its implementation.

14.2.2 Declaration

Each WG Member must complete and execute a Essential Patent Declaration Form on behalf of its VITA Member Company. Each WG Member must declare the maximum royalty rate for all patent claims that the VITA Member Company they represent (or its Affiliates) owns or controls and that may become essential to implement the VSO Draft Proposed Standard. WG Members are encouraged to attach to the Declaration a draft licensing agreement for all patent claims essential to implement the VSO Draft Proposed Standard. The failure to do so precludes the VITA Member Company from including in its final licensing agreement a grant back, reciprocal license, non-assert provision, covenant not to sue, or defensive suspension provision that is broader or more restrictive upon licensees than the following:

1. A VITA Member Company may include in its final licensing agreement a term requiring the licensee to grant a license on fair, reasonable, and non-discriminatory terms to any of the licensee’s patent claims on present or future improvements that are essential to the same VSO Draft Proposed Standard;
2. A VITA Member Company may include in its final licensing agreement a term requiring the licensee to grant a reciprocal license to all the licensee’s present or future patent claims essential to the same VSO Draft Proposed Standard;
3. A VITA Member Company may include in its final licensing agreement a term under which the licensee commits not to assert or not to bring suit to enforce any of the licensee’s present or future patent claims essential to the same final standard against the VITA Member Company based on its implementation of the VSO Draft Proposed Standard;
4. A VITA Member Company may include in its final licensing agreement a term providing that the license may be suspended with respect to the licensee if the licensee sues the VITA Member Company for infringement of any of the licensee’s present or future patent claims essential to the same VSO Draft Proposed Standard.

License terms must in all other respects be fair, reasonable, and non-discriminatory.

The Declaration is irrevocable. If a subsequent Declaration covering previously disclosed information is submitted, the subsequent Declaration may only supersede the prior Declaration if the subsequent Declaration is less restrictive upon prospective licensees than the former Declaration. Otherwise, the former Declaration continues to apply. The Declaration will apply to the VSO Draft Proposed Standard and any reaffirmations or revisions to that VSO Draft Proposed Standard.

14.2.2.1 *Statement from patent holder*

VITA **shall** receive from the patent holder or a party authorized to make assurances on its behalf, in written or electronic form, either:

- a) assurance in the form of a general disclaimer to the effect that such party does not hold and does not currently intend holding any essential patent claims(s); or
- b) assurance that a license to such essential patent claims(s) will be made available to applicants desiring to utilize the license for the purpose of implementing the standard either:
 - i. under reasonable terms and conditions that are demonstrably free of any unfair discriminations; or
 - ii. without compensation and under reasonable terms and conditions that are demonstrably free of any unfair discrimination.

The Declaration **shall** indicate that the patent holder (or third party authorized to make assurances on its behalf) will include in any documents transferring ownership of patents subject to the assurance, provisions sufficient to ensure that the commitments in the assurance are binding on the transferee, and that the transferee will similarly include appropriate provisions in the event of future transfers with the goal of binding each successor-in-interest.

The Declaration **shall** also indicate that it is intended to be binding on successors-in-interest regardless of whether such provisions are included in the relevant transfer documents.

14.2.3 *Record of Declarations*

A record of the patent holder's declaration statement **shall** be placed and retained in the files of VITA and **shall** be made publicly available on the VITA website.

14.2.4 *Negotiation of License Terms*

The negotiation or discussion of license terms among WG Members or with third parties is prohibited at all VSO and WG meetings.

14.3 **Effect of Failure to Disclose Patents or License Terms**

If a WG Member fails to adequately and timely disclose, on behalf of the VITA Member Company they represent, a patent claim or license terms for it as set forth in this Section 14, including at any of the times specified in Section 14.2.3, the VITA Member Company must license it to the extent it is essential to a VSO Draft Proposed Standard on a royalty free basis and in accordance with the license restrictions set forth in Section 14.3 for purposes of an implementation compliant with the VSO Draft Proposed Standard.

14.4 **Arbitration Procedure**

Any VSO member who believes a WG Member or the VITA Member Company that the WG Member represents has not complied with his/her or its obligations under this Patent Policy, including but not limited to obligations under Section 14.3 to grant licenses on terms that are fair, reasonable and non-discriminatory, may submit his/her claim in this respect to the applicable WG Chairperson. If the claim is not thereupon resolved on an informal basis within fifteen (15) days of its submission, the WG Chairperson will commence an Arbitration Procedure in accordance with the provisions set forth below.

The Arbitration Panel will consist of three persons: one person selected by the party asserting noncompliance; one person selected by the party whose compliance or noncompliance is at issue; and a third person jointly selected by the other two selected persons. The first two selected persons cannot be

affiliated with VITA members represented on the Working Group in question but may be affiliated with other VITA members if so desired. The third jointly selected person, who will act as Chair of the Panel, cannot be affiliated with any VITA member or with VITA. The entire panel must be selected within fifteen (15) days of the WG Chairperson's commencement of this Arbitration Procedure as referenced in the paragraph above. The VITA Technical Director will act as the non-voting Administrator of the Arbitration Procedure to convene, oversee and record the Panel's activity. The VITA General Counsel will specify and advise on the procedures to be followed, including procedures under which parties to the dispute and other interested parties asking to participate may be heard with respect to the dispute.

The Arbitration Panel will submit a Recommendation on the dispute to the VITA Executive Director within forty-five (45) days of commencement of the Arbitration Procedure. Within fifteen (15) days of receiving that Recommendation, the VITA Executive Director will consult with the VITA Board regarding the Recommendation and will then render a Decision on the dispute.

Any VSO member may request reconsideration of the Decision by notice to that effect to the VITA Board. Upon receiving any such notice, the VITA Board will reconsider the Decision and thereupon render a Final Decision on the dispute within thirty (30) days of that notice.

All VSO members and the VITA Member Companies they represent are expected to accept either the Executive Director's Decision or, if there is reconsideration, the Final Decision as a final and binding determination of the dispute subject to this Arbitration Procedure.

The VITA Board must approve any fees or other costs to be incurred in connection with an Arbitration Procedure and will also specify the party or parties responsible for payment of all such costs. General principles to be followed are that (a) a party who initiates an Arbitration Procedure but whose claim is ultimately rejected will pay all costs; and (b) a party ultimately found to have not complied with its obligations will pay all costs.

14.5 Notice

When VITA receives from a patent holder the assurance set forth in Section 14.1, the standard **shall** include a note substantially 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 any such claim(s) or of any patent rights in connection therewith. If a patent holder has 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, then details may be obtained from the standards developer.

14.6 Responsibility for identifying patents

Neither VITA nor ANSI is responsible for identifying all patents for which a license may be required by an American National Standard or for conducting inquiries into the legal validity or scope of those patents that are brought to their attention.

15 Commercial Terms and Conditions

Except as otherwise permitted, VITA standards **shall** not include terms or conditions that are primarily contractual or commercial in nature, as opposed to technical, engineering or scientific in nature. Thus, for example, a VITA standard **shall** not include contractual requirements (Section 15.1); endorse or require the use of proprietary products or services (Section 15.2); or endorse or require the use of particular conformity-assessment bodies, testing facilities or training organizations (Section 15.3).

15.1 Contractual Requirements

Except as provided below, a VITA standard **shall** not include contractual requirements such as those relating to particular products or services, guarantees, warranties, reworks, indemnities, buybacks, price-related terms and other conditions of sale or use.

15.2 Endorsements of Proprietary Products or Services

A VITA standard **shall** not endorse or require the purchase or use of proprietary products or service providers as a condition of implementing the standard. Proprietary in this context means products or services that are the property of an owner and cannot be obtained or recreated without the consent of the owner. For example, a VITA standard may not endorse or require the purchase or use of brand-name tools or components, licenses, manufacturer lists, service provider lists or copyrighted materials.¹²

However, for informational purposes, where known sources exist for products or services necessary to comply with the VITA standard, it is permissible, but not obligatory, to identify the sources (which may include a source's name and address) in a footnote, an appendix, or reference to a website. The referenced products or services **shall** be reasonably available from the referenced sources, the words "or the equivalent" **shall** be added to the reference, and the reference **shall** also expressly state that identification of products or services is not an endorsement of those products or services or their suppliers.

15.3 Conformity Assessment, Testing and Training

In connection with VITA standards that relate to the determination of whether products or services conform to one or more standards, the process or criteria for determining conformity may be standardized as long as the description of the process or criteria is limited to technical, engineering or scientific concerns and does not include what would otherwise be contractual or commercial terms.

It is permissible for health, safety or environmental protection reasons to include a generic requirement for third-party, i.e., independent, conformity assessment, testing or training. VITA standards **shall** not dictate the use or non-use of a particular conformity-assessment body, testing facility or training organization.

However, for informational purposes, where known sources exist for products or services necessary to determine compliance with the VITA standard, it is permissible, but not obligatory, to identify the sources (which may include a source's name and address) in a footnote, an appendix, or reference to a website. The referenced products or services **shall** be reasonably available from the referenced sources, the words "or the equivalent" **shall** be added to the reference, and the reference **shall** also expressly state that identification of sources is not an endorsement of those sources.

¹² The term "copyrighted materials" is not intended to include: (a) manufacturers' instruction/safety manuals; or (b) third-party standards, when such documents are incorporated by reference into the text of a VITA standard for non-commercial technical, or safety-related purposes, as long as such references do not otherwise violate other provisions of the Commercial Terms and Conditions Policy (e.g., they cannot also include warranties, guarantees and like commercial clauses).

16 Antitrust Policy

VITA standards **shall** be developed in accordance with applicable antitrust and competition laws. Meetings amongst competitors to develop VITA standards are to be conducted in accordance with these laws.

17 Record Retention Policy

17.1.1 Periodic Maintenance Option

Records concerning new, revised, or reaffirmed standards maintained under the periodic maintenance option **shall** be retained for one complete standards cycle, or until the standard is revised.

17.1.2 Stabilized Maintenance Option

Records **shall** be retained until the standard is reaffirmed, revised, or subsequently reviewed in connection with the stabilized maintenance of the standard.

17.1.3 Withdrawn Standards

Records concerning withdrawals of all standards **shall** be retained for at least five years from the date of withdrawal. Copies of the standard only will be archived by VITA, all other records may be deleted.

17.1.4 VITA Draft Standard for Trial Use

Records concerning all VITA Draft Standards for Trial Use **shall** be retained for at least five years from the date of withdrawal.

18 Metric Policy

Standards that require measurements **shall** provide such measurements in either International System of Units (SI) or United States Customary units. Both SI and United States Customary Units may be provided if appropriate. If both units are provided, the primary or preferred unit **shall** be indicated.

19 Code of Conduct

1. All persons serving on the Board, VITA staff, VITA committees, subcommittees, VSO working groups or other related bodies (hereafter "Participants") **shall** act honestly, in good faith, and with the highest professional standards.
2. Although it is recognized that legitimate differences of opinion can exist on individual issues, Participants **shall** act in a dignified and courteous manner, so as to avoid injuring others, their property, reputation, or employment by false, malicious or improper action and to avoid acting in a disrespectful or unprofessional manner towards other Members or VITA staff.
3. In order that the points of view and information Participants contribute to the VITA voluntary consensus standards system can be accurately evaluated by others, Participants **shall** always endeavor to make known their business, commercial, organizational, or other affiliations that might affect their interests or points of view, avoiding real or perceived conflicts of interest whenever possible.
4. In all discussion, debate, and deliberation, Participants **shall** confine their comments to the merits of the issues under review. Although Participants may forcefully advocate their views or positions, they **shall** be candid and forthcoming about any weaknesses in their position, and they **shall** refrain from debate and discussion that is disrespectful or unprofessional in tone or that is unduly personalized or damaging to the overall process of achieving consensus.

5. In circumstances where duly established policies and procedures related to the VITA voluntary consensus standards system permit deliberations to take place in executive session, participants **shall** respect and observe the confidentiality of those executive sessions.
6. No Participant **shall** ever attempt to withhold or prohibit information or points of view from being disseminated, particularly on the grounds that the Participant is in disagreement with the information or points of view. Disagreements **shall** be addressed and resolved through full presentation and discussion of all information and points of view; not through withholding information or preventing points of view from being expressed.
7. Participants who have been retained to represent the interests of another with respect to a specific issue or issues that are to be addressed by any VITA body **shall** declare those interests.
8. Participants **shall** treat all persons with respect and fairness and **shall** not offer or appear to offer preferential treatment or prejudiced treatment to any person or group.
9. Participants **shall** refrain from disseminating false or misleading information necessary to a full, fair, and complete consideration of the issues duly discussed.
10. Participants **shall** obey all applicable laws and VITA policies, including policies promulgated by VITA for the committee, forum or group on which they participate; and
11. Participants **shall** safeguard VITA's reputation and integrity by ensuring that any public statements relating to VITA, which are not official statements of VITA, are properly portrayed as the opinion of the individual making them.

APPENDICES

Appendix 1 - Definitions

- **ANSI Accreditation:** The approval by the ANSI Executive Standards Council (ExSC) of the written procedures submitted by a standards developer relative to the development and documentation of evidence of consensus in connection with standards that are expected to be approved as American National Standards. Accreditation by ANSI signifies that the procedures submitted by the standards developer satisfy the essential requirements contained herein.
- **Consensus:** Consensus means substantial agreement has been reached by directly and materially affected interested parties. This signifies the concurrence of more than a simple majority, but not necessarily unanimity. Consensus requires that all views and objections be considered, and that an effort be made toward their resolution.
- **Consensus body:** The group that approves the content of a standard and whose vote demonstrates evidence of consensus.
- **Periodic maintenance:** Periodic maintenance is defined as the maintenance of a standard by review of the entire document and action to revise or reaffirm it on a schedule not to exceed five years from the date of its approval as an American National Standard.
- **Resolved:** A negative vote cast by a member of the consensus body or a comment submitted as a result of public review where the negative voter agrees to change their vote or the negative commenter accepts the proposed resolution of their comment.
- **Stabilized Maintenance:** A standard that is maintained under the stabilized maintenance option shall satisfy the following eligibility criteria:
 - a) the standard addresses mature technology or practices, and as a result, is not likely to require revision; and
 - b) the standard is other than safety or health related; and
 - c) the standard currently holds the status of American National Standard and has been reaffirmed at least once; and
 - d) at least ten years have passed since the approval or last revision of the standard as an ANS; and
 - e) the standard is required for use in connection with existing implementations or for reference purposes.
- **Substantive Change:** A substantive change in a proposed Standard is one that directly and materially affects the use of the standard. Examples of substantive changes are below:
 - “shall” to “should” or “should” to “shall”;
 - addition, deletion or revision of requirements, regardless of the number of changes;
 - addition of mandatory compliance with referenced standards.
- **Unresolved:** Either (a) a negative vote submitted by a consensus body member or (b) written comments, submitted by a party during public review expressing disagreement with some or all of the proposed standard, that have not been satisfied and/or withdrawn after having been addressed according to the developer’s approved procedures.

Appendix 2 - Revision History

Date	Revision	Comments
25 Jan 94	1.0	Document created
13 Dec 95	1.1	<ul style="list-style-type: none"> Revised section 14 Appeals to bring into line with ANSI recommendations. Revised section 16 Patents to include early patent disclosure policy.
17 Sep 97	1.2	Revised section 16 paragraph 2 to reflect change in ANSI policy. ANSI no longer requires that T&C be provided to ANSI.
18 Mar 98	1.3	Added section 6.12.1 Absentee Voting
Mar 2001	1.4	Major revisions to include IEC/ITA capability.
May 2001	1.5	Submitted for VSO ballot.
July 2001	1.5	Approved at the Salt Lake City VSO meeting.
Oct 2003	1.6	Major revision to meet ANSI Essential Requirements
Dec 2003	1.6a	Clarified definition of meetings, balloting, and voting requirements.
Mar 2004	1.7	<ul style="list-style-type: none"> Modified 5.1 to allow members to grant voting privileges to attending members who do not meet voting eligibility requirements. Added copyright requirements to section 12.
April 2004	1.8	accepted all changes. Removed “draft” watermark and “draft” from header.
Nov 2004	1.9	add meeting time notification requirements to 7.15
June 2005	2.0	add section 13 re: Draft Standard for Trial Use
Sep 2006	2.1	<ul style="list-style-type: none"> add section 7.3 Project Discontinuance add section 8 Appeals revised section 7.1.2 removed ability of working group to continue with less than 3 sponsors via appeal to VSO revised section 14.2 to point to section 8.0 Appeals
Jan 2007	2.2	replaced previous Patent Policy with “ex ante” Patent Policy approved at January 17, 2007 VSO meeting. See Section 10 Patent Policy. (Editor Note: in revision 2.0 Patent Policy was section 10. The proposed “ex ante” Patent Policy in draft status was labeled section 10. In revision 2.1 submitted as a result of the 2006 VITA ANSI audit, a new section “Interpretations” was added before the Patent Policy section causing the Patent Policy section to become section 11. In 2.2 I have switched the Patent Policy section with the Interpretations section so that Patent Policy is again labeled section 10 and Interpretations is section 11.)
June 2007	2.3	revisions to meet requests of ANSI Exc.
Jan 2008	2.4	remove language in 8.1 re: lack of consensus by appeals board and decision rendered by executive director. Brings VSO PP into sync with ANSI/VITA Procedures
Feb 2009	2.5	Section 14.0 has been completely removed. ANSI's Essential Requirements no longer supports an ANSI recognized “Draft Standard for Trial Use”.
Nov 2009	2.6	Section 14.0 was added to allow “VITA Draft Standard for Trial Use”.
Nov 2011	2.7	<ul style="list-style-type: none"> Section 7.1.2 - added PINs submission requirement Section 7.1.6 and other appropriate places – changed ballot terms to match practice revised Observer status to bring into line with current practice revise ballot length add ballot reminder requirement.

Sept 2015	2.8	<ul style="list-style-type: none"> • Added concept of teleconference attendee (6.1) • Added anti-trust and ITAR policy (6.4.x) • Allow concept of displaying patent policy instead of reading (6.4.x) • Added display of patent, anti-trust and ITAR policy at all meetings (6.4.x) • Clarify that only members who register to vote are counted for VSO Specification approval ballot (7.2.1.2)
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Revision 3 changes made October 2021	
Section	Content
Global changes.	<ul style="list-style-type: none"> • Several global changes were made to bring the policy up to current practice and to align with ANSI policy: • The use of the word 'specification' was changed to either 'proposed standard' or 'standard' depending on stage of process. • Significant replaced with Substantive as appropriate. • Gender references replaced with non-gender references. • Replaced APPROVED with AFFIRMATIVE, DISAPPROVE with NEGATIVE. • ANSI recognition changed to ANSI approval. • Replaced "standards development committee" with "working group". • The VITA document, <i>Procedures for the Development of American National Standards with the VSO</i> was integrated in its entirety into this policy and is no longer in effect. • Portions of <i>ANSI Essential Requirements</i> was integrated into this policy to make it easier to interpret this policy. Sections are noted as such.
1	Added VITA bylaws reference in introduction.
1	Replaced specification with proposed standard or standard throughout document.
1.2	Added VITA bylaws to references.
1.2	The VITA document, <i>Procedures for the Development of American National Standards with the VSO</i> , in its entirety, has been integrated into this document. The reference was deleted.
1.3	Added related section <i>Procedures for the Development of American National Standards with the VSO</i> , Section 1.1
2.1	Added Distinguished VITA Fellow
4	Removed duplicate eligibility requirements also listed in Section 5.1.
6.4	Added reference to code of conduct.
6.4.4	Added code of conduct statement and reference to Code of Conduct policy in Section 20.
7	Added clarification of phases in introduction paragraph.
7	Figure 7-1 was revised for clarification and to match current policy.
7.1.2	Statement added "In the event a Working Group which had NOT initially . . ." for clarification.
7.1.6	Updated to use voting terms to match current practice at VITA and ANSI. Approve replaced by Affirmative, Disapprove replaced with Negative. Moved editorial from "Affirmative, with comment" to Note for readability.
7.1.7	Added "and all comments". Added "new, full" to last paragraph.
7.1.8	Added definition and details on recirculation ballot (first paragraph) per ANSI audit request.
7.2	Renamed phase to "Phase 2 – Approval Ballot" for clarification.
7.2.1.1	Deleted section on IEC Industry Trade Agreement option. This option is no longer in effect. VITA can use ANSI for this avenue if necessary.
7.2.2	Rewritten because the <i>Procedures for the Development of American National Standards with the VSO</i> document referred to has been integrated into this document.
7.2.2.1	Added complete Section 2 from <i>Procedures for the Development of American National Standards with the VSO</i> .

7.2.2.1.1	Added from ANSI Essential Requirements, Section 2.4.1 Definition of Conflict for completeness.
7.2.2.1.2	Added from ANSI Essential Requirements, Section 2.4.2 Coordination/Harmonization for completeness.
7.2.2.2	Added from ANSI Essential Requirements, Section 2.5 Notification of standards development and coordination for completeness.
7.2.2.2.1	Added table of forms.
7.2.2.2.2	Added from ANSI Essential Requirements, Section 2.5.1 Project Initiation Notification (PINS) for completeness.
7.2.2.2.2.1	Added from ANSI Essential Requirements, Section 2.5.1.1 PINS Exceptions for completeness.
7.2.2.2.2.2	Added from ANSI Essential Requirements, Section 2.5.1.2 Assertions of conflict or duplication for completeness.
7.2.2.2.2.3	Added from ANSI Essential Requirements, Section 2.5.1.3 PINS Deliberation Report for completeness.
7.2.2.2.3	Added from ANSI Essential Requirements, Section 2.5.2 Public Review for completeness and request at ANSI audit.
7.2.2.3	Title of section changed to Development of the Public VITA Consensus Body Balloters List per ANSI audit.
7.2.2.3.1	Added from ANSI Essential Requirements, Section 1.2, Lack of dominance, for definition of term.
7.2.2.3.1.1	Added from ANSI Essential Requirements, Section 2.2, Lack of dominance, for definition of benchmark.
7.2.2.3.2	Added from ANSI Essential Requirements, Section 1.3, Balance, for definition of term.
7.2.2.3.2.1	Added from ANSI Essential Requirements, Section 2.3, Balance, for definition of benchmark.
7.2.2.3.3	Abstract added to replace description. History information has not been previously captured and used. Revised descriptions of interest categories to match current practice.
7.2.2.4	Added complete Section 4 from <i>Procedures for the Development of American National Standards with the VSO</i> . Deleted item b, "brief history", not used.
7.2.2.5	Added complete Section 5 from <i>Procedures for the Development of American National Standards with the VSO</i> . Added "A recirculation ballot, if required, shall be a minimum of 14 days or when all ballots have been returned." Timeline for clarification per ANSI audit.
7.2.2.6	Added complete Section 6 from <i>Procedures for the Development of American National Standards with the VSO</i> . Section updated to reflect current practice voting terms. Moved editorial from "Affirmative, with comment" to Note for readability.
7.2.2.7	Added complete Section 7 from <i>Procedures for the Development of American National Standards with the VSO</i> . Added Stabilized Maintenance as type of action.
8	Added complete Section 8 from <i>Procedures for the Development of American National Standards with the VSO</i> . This entire section was heavily edited to match current practice and to provide more definition. Additional content was added from ANSI Essential Requirements, Sections 4.2.1.2, 4.7.1, and 4.7.3.
8.1	Guidance on life cycle of a typical standard was added.
9	Sections 9 and 10 combined to be an administration policy section. Several changes not documented were made to bring this combined section up to current practice.
9.1	Added section on VSO templates

9.2	Section title added “Proposed” to limit scope to proposed standards designations.
9.3	Added complete Section 15 from <i>Procedures for the Development of American National Standards with the VSO</i> . Renamed for clarification. Deleted American National Standard from title per ANSI audit. Added additional definition from ANSI Essential Requirements, Section 4.4, Designation of American National Standards. New guidance added for clarification of standards status designations.
9.4	Added complete Section 16 from <i>Procedures for the Development of American National Standards with the VSO</i> . Text from previous Section 13 moved to this section.
9.5	New section to provide guidance on covers for standards in draft and approved status. Text added from ANSI Essentials to provide guidance on logo usage.
9.7	Section updated to reflect current practice on notifications.
9.9.2	Section renamed to delete reference to IEC/ITA.
10.4	Added action to be taken at end of timeline.
Normative Policy	New section to include normative policies that reflect best business practices and ANSI policies. Moved existing sections to this area.
11	Duplicate Appeals sections from this policy and Section 16 from <i>Procedures for the Development of American National Standards with the VSO</i> were merged.
11.1	Added a 30-day time limit on actions per ANSI audit request. Previous section 10.2 “Appeals at ANSI” deleted per ANSI audit request, not required for VITA policy.
14	Added opening statement from Section 10 from <i>Procedures for the Development of American National Standards with the VSO</i> . Original section 14.1 moved to 14. Renumbered remaining sections.
14.1.1	Added list of what is not included in essential claims. Added statement about non-VITA member obligation per ANSI audit.
14.2.2.1	Added from Section 10.1 <i>Procedures for the Development of American National Standards with the VSO</i> .
14.2.3	Added Record of Declarations from Section 10.1 <i>Procedures for the Development of American National Standards with the VSO</i> per ANSI audit.
14.5	Added Notice from Section 10.3 <i>Procedures for the Development of American National Standards with the VSO</i> .
14.6	Added Responsibility for identifying patents from Section 10.4 <i>Procedures for the Development of American National Standards with the VSO</i> .
15	Replaced previous content. Added Commercial Terms and Conditions from Section 15 <i>Procedures for the Development of American National Standards with the VSO</i> . Updated from ANSI Essential Requirements, Section 3.2.
15.1	Added from ANSI Essential Requirements, Section 3.2.1, Contractual Requirements, for completeness.
15.2	Added from ANSI Essential Requirements, Section 3.2.2, Endorsements of Proprietary Products or Services, for completeness.
15.3	Added from ANSI Essential Requirements, Section 3.2.3, Conformity Assessment, Testing and Training, for completeness.
16	Antitrust Policy, Added from Section 12 <i>Procedures for the Development of American National Standards with the VSO</i> .
17	Record Retention Policy, Added from Section 13 <i>Procedures for the Development of American National Standards with the VSO</i> . Matches 2021 ANSI Essential Requirements, section 3.4. Reworded to cover VITA and ANSI needs.
18	Metric Policy, Added from Section 14 <i>Procedures for the Development of American National Standards with the VSO</i> .
19	Code of conduct policy added.
Appendix 6	Deleted, content was redundant.
Appendix 7	Deleted and moved content to website.

	<p>Replaced Disclosure Timeline image. More readable. Deleted list, text is captured in figure. Deleted section on patent process for working groups formed before addition of patent policy, not relevant.</p>
Appendix 8	Moved FAQ on VITA's patent policy to Members Only section of website.
	Deleted IP Declaration form. It is now a separate document in a fillable form format, available from VITA staff.
All	Numerous editorial and grammatical changes made to make the document uniform throughout.
Revision 3.1 changes made July 2022	
Global Changes	<ul style="list-style-type: none"> • Added text from ANSI Essential Requirements 2022 to emphasize the need for timely and adequate notice of standards development activity to demonstrate a meaningful opportunity for participation by all directly and materially interested parties in a fair and equitable manner. • New requirement to identify on the PINS form the interest categories that will or are expected to comprise the consensus body. New requirement for an ASD to respond in writing to a timely written request for additional information or for the opportunity to discuss a proposal that has been announced through a PINS. • General clean up to match ANSI Essential Requirements that had not been originally included. • Added this text from ANSI Essential Requirements 2022. The interest category of a voting member of a consensus body is to reflect the business or other interests of their primary source of support for participation on the consensus body. New definition of "consultant". Reinforcing statement that sub-categories of interest categories should not be used to circumvent balance requirements and a clarification of the use of a General Interest category. • Throughout the document, additional edits reflect a consistent use of "parties", "directly and materially interested parties"