



EMVA Standards Development and Approval Procedures

RELEASE May 18th, 2021

Published by EUROPEAN MACHINE VISION ASSOCIATION (EMVA)

© 2021 EMVA

All rights reserved.

No part of this publication may be reproduced in any form, in an electronic retrieval system or otherwise, without prior written permission of EMVA.

[Version 1.0, edited March 4th, 2022]

Table of Contents

1	General	4
1.1	Scope	4
1.2	Participation and accreditation	4
1.3	Working Groups and Order of prevalence and questions	4
1.4	Amending these Procedures	5
2	Organisation of Standards Development and Approval	5
2.1	Board of Directors	6
2.2	Working Groups	7
2.3	Working Group's IPR Management Committee	7
2.4	User Groups	8
2.5	Standards Office	8
3	Working Groups	9
3.1	Eligibility for WG Membership	9
3.2	Application Process	10
3.3	Maintenance	10
3.4	Working Group Chair/co-Chairs	10
3.5	Sub-Groups	11
3.6	Working Group Rules	11
3.7	IPR Management Committees	11
4	Standards Development and Approval Procedures	12
4.1	WG Meetings	12
4.2	Working Group Homework – Contributing Members	12
4.3	WG Voting	13
4.4	Voting Majorities	14
4.5	Report of final result	15
4.6	Approval of standards	15
4.7	Appeals	16
4.8	Formal approval and Publication	16
5	Records	16
5.1	Files	16
5.2	Retention	16
6	Communications	16
7	Appeals	17
7.1	Appeal claim	17

7.2	Response	18
7.3	Hearing	18
7.4	Parliamentary procedures	19
8	Formats: Language, document format and metric policy	19
8.1	Language	19
8.2	Document Format	19
8.3	Metric Policy	19
9	Commercial terms and conditions	20
10	Intellectual Property Rights	20

EMVA Standards Development and Approval Procedures

Introduction

The European Machine Vision Association (EMVA) is a not-for-profit association representing the Vision industry, with a global membership. The EMVA seeks to promote the development and use of vision technology and aims to help ensure that imaging and vision technologies are widely applied throughout all industry sectors, manufacturing and non-manufacturing, whether in Europe or abroad. Among these goals, the EMVA aims to develop and promote industry standards on a global level for imaging and vision technologies and support its members in doing so. The EMVA provides the platform and network needed for industry-driven groups to develop vision-specific standards.

1 General

The EMVA supports the development of standards for vision and imaging technologies. These standards are considered to be essential to the productivity of the vision industry, promoting technological innovation and interoperability within the industry and creating a level playing field for all competitors.

These EMVA Standards Development and Approval Procedures (the “*Procedures*”) have been established to support the EMVA’s goal of harmonised standards across borders and intend to be consistent with due process in standards development.

These procedures have been established taking into account the Cooperation Agreement dated 3 November 2009 on Global Coordination of Machine Vision Standardisation entered into by EMVA (this cooperation is hereinafter called the “*G3*”¹).

They have also taken into account the EMVA Intellectual Property Rights Policy (see section 10 below) and have also incorporated a certain level of procedural flexibility required among Working Groups.

These Procedures were approved by the Board of Directors of the EMVA on **Friday 21st May 2021**

1.1 Scope

The EMVA is an industry association supporting the development of imaging and vision standards applicable for all types of industry anywhere in the world and acts as a conduit to promote and support not only EMVA’s own standards but also standards developed by other Associations, in particular the member associations within the context of G3.

1.2 Participation and accreditation

The EMVA standards are developed by the industry for the industry and will therefore not necessarily conform to requirements proposed by traditional national and international organizations such as ANSI and ISO.

Accordingly, there has been no attempt currently on the part of the EMVA to receive ANSI or ISO accreditation as a formal standards setting body. If accreditation is required, these Procedures will be modified appropriately and submitted to the Board of Directors of the EMVA for approval.

1.3 Working Groups and Order of prevalence and questions

The EMVA standardisation activities are organised by Working Groups, which are governed by the Procedures set out here, the EMVA IPR Policy (see section 10 below), and their own internal rules

¹ G3 currently consists of EMVA, Association for Advancing Automation (A3), Japanese Industrial Imaging Association (JIIA), Verband Deutscher Maschinen- und Anlagenbau Machine Vision (VDMA MV) and China Machine Vision Union (CMVU) – September 2019.

(Working Group Rules, section 3.6 below). In the event of any conflict, the order of prevalence is (a) these Procedures, (b) the IPR Policy and (c) the WG Rules.

The Board of Directors of the EMVA has oversight over the Working Groups, and subject to the provisions set out below in Section 7, any EMVA member or interested third parties may contact the Board of Directors to resolve any issue arising in relation to these Procedures.

1.4 *Amending these Procedures*

These Procedures shall be reviewed annually by the EMVA Standards Office, who shall be responsible for:

- Receiving and reviewing any suggested amendments from EMVA members and Working Groups;
- Proposing to the Board of Directors any amendments, including updates in line with any G3 changes; and
- Preparing and updating any additional documents relevant for implementing the Procedures

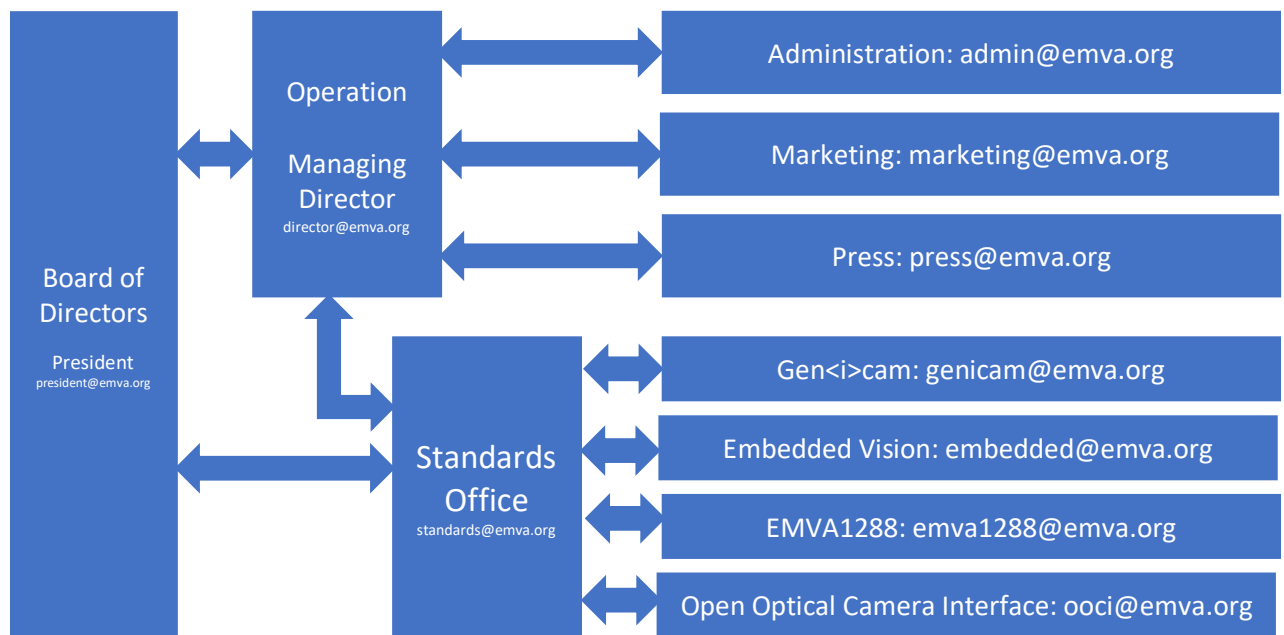
Proposed amendments shall be submitted to the Board of Directors for approval in accordance with the Statutes of the EMVA, and after consultation with all relevant stakeholders, e.g. Standards Working Groups. On approval, a copy of the Procedures shall be sent to all Members, to the G3 sister organisations and published on the EMVA website within 15 days of approval.

2 *Organisation of Standards Development and Approval*

The development of standards at EMVA shall involve the following bodies:

- a) The **EMVA Board of Directors**, or its appointed Standards Subcommittee on standards, if any; and
- b) A **Working Group** for each developed standard;
- c) (as the case may be) A joint Board of Directors/Working Group **IPR Management Committee**, where appropriate, for managing intellectual property rights on the Working Group's reference implementation.
- d) A **User Group** for each EMVA Standard; and
- e) The **EMVA Standards Office**.

[For illustration purposes: The following diagram provides the Organigram of EMVA and structure as regards Standards]



The following sub-sections set out the responsibilities of each body involved in standards setting.

2.1 *Board of Directors*

The EMVA Board of Directors is responsible for the overall direction and oversight of the standards development programs, which includes:

- Providing recommendations of new standards development work;
- Initiating new EMVA standards development, including defining the scope, objectives and guidelines for the standard and informing G3 member associations of the launch;
- Approval of releasing new standards and their dissemination and promotion;
- Approval of withdrawal of an existing standard;
- Approval of EMVA model documents for standards compliance and licensing;
- Involving members to participate and support standards development work;
- Appointing any Working Group members to represent the board's interests/perform other duties as set out herein or otherwise established by the Board;
- Communication about EMVA standards to G3 member associations, and endorsing standards developed by other G3 member associations;
- Proposing and approving any amendments to the current Standards Development Procedures, Intellectual Property Rights Policy;
- Resolving any legal and procedural issues and relating to standards development;
- When appropriate, setting up (together with the relevant Working Group) joint IPR Management Committees for managing Intellectual Property rights and other issues relating to EMVA standards and their reference implementations.

- Setting fees for working group membership, standards licensing, licensing of EMVA intellectual property administration, events and other activities of the EMVA.

2.2 Working Groups

The Working Groups are established on approval of the Board of Directors and consist of members having been admitted to the Working Group (see below) and include (a) a Chair or two co-Chairs, (b) a Vice-Chair and (c) optionally, a number of Sub-Chairs appointed in accordance with the internal rules of each Working Group. For larger Working Groups, a higher number of co-Chairs and Vice-chairs may be agreed by the Working Group itself.

There will be one Working Group per standard.

Working Groups are responsible for:

- Proposing the text of the first release for new EMVA standards to the Board of Directors for approval;
- Approval and maintaining the technical content of the corresponding standard, its revisions, and other approved work;
- Reporting to the Board at least semi-annually on the development of their standard;
- Creating sub-Working Groups (and their corresponding sub-chairs) that are assigned specific tasks;
- Establishing appropriate technical compliance and validation requirements;
- Taking ideas, requests and advice from the relevant User Group under consideration;
- Communication with the standard's User Group;
- Proposing and approving the Working Group Chairs, and roles and Working Group rules of procedure with respect to the creation of the corresponding standard;
- Proposing and approving any amendments to Working Group Licensing Policies;
- Where the Working Group has selected the fiduciary licensing model, participating in the process to determine the terms and license conditions, including any license fees, attached to the use of the relevant standard specification, reference implementation, and other intellectual property generated by the Working Group through the action of the IPR Management Committee.
- Deciding which licensing model to apply for managing the intellectual property rights on the Working Group's reference implementation and, when appropriate, appointing members to the standard's IPR Management Committee; and
- Other duties as set out herein or determined by the Rules of the Working Group.

2.3 Working Group's IPR Management Committee

If a Working Group decides to apply the fiduciary licensing model for managing the intellectual property rights on its standard's reference implementation, an IPR Management Committee will be appointed, following the then current EMVA IPR Management Committee Rules.

There may only be one IPR Management Committee for each Working Group, and it shall have the responsibility of taking binding decisions regarding the management of intellectual property rights (IPRs) of the Working Group's reference implementations, including approving the terms and license conditions, including any license fees, attached to the use

of the relevant standard specification, reference implementation, and other intellectual property generated by the Working Group.

All Working Groups applying the fiduciary model shall set out their own rules for appointing their members to the IPR Management Committee. Those rules shall be included in the Working Group internal rules and procedures document.

2.4 *User Groups*

There will be one User Group per Standard, and thus per Working Group. The User Group will be constituted of persons ("Users") that enter into the available EMVA License Agreement with limited access to the source code of a WG's standard's reference implementation and right to use the EMVA/Standard logo on product conformance. Users who are not members of the Working Group have no voting rights in the WG, but are required to submit ideas and input for patches/bug-fixes and improvements on reference implementations to the corresponding Working Group for review and incorporation as a Software Contribution. To have these changes incorporated into the WG deliverables (Specification or Reference Implementations), the Users must become WG Group members, making the appropriate IPR Declaration and contribution license.

The User Group will work and collaborate through an electronic collaboration mechanism supervised by the Working Group and may meet at vision shows and other industry events. The User Group members will receive regular updates about the standard development and will be able to provide ideas and requests to the Working Group of the standard.

2.5 *Standards Office*

The EMVA Standards Office is appointed by the EMVA Board of Directors and is responsible for:

- Monitoring the Working Groups' compliance with these Procedures and the Working Group rules;
- Representing the Working Groups in all development activities which do not require the Groups to be present;
- Acting as a liaison between the Working Groups and the Board of Directors on all matters related to the standard development;
- Assisting in the recruitment process for members for the Working Groups;
- Maintaining a list of the Working Groups and their respective projects, as well as a list of all the Groups' members which shall be made public on the EMVA website;
- Providing administrative assistance for Working Groups, including preparation of meeting notices and handling of meeting arrangements; preparation and distribution of Working Group Rules, meeting agendas, minutes, ballots, and standard drafts; and maintenance of adequate records;
- Marketing and dissemination of the Standards and other work developed by the Working Groups (including press and trade shows);
- Communication and coordination of activities with Working Group Chairs and, when appropriate, IPR Management Committees;
- Issuing, invoicing and keeping records of Licenses and fees;
- Communication with regards to the Standards with G3 member associations and keeping them informed of standardisation processes within EMVA;

- Administering User Groups including: establishing the User Group, announcing and holding meetings, collecting and documenting input from the attendees and disseminating the information to the Working Groups;
- Keeping a record of all stakeholders accessing a copy of (draft) standards;
- Performing other administrative functions as required by these procedures.

The Standards Office is led by the EMVA Standards Manager, appointed by the Board of Directors.

3 Working Groups

The following paragraphs set out the general rules and procedures governing the EMVA Working Groups (“WG”), including the requirements for becoming and remaining a Working Groups Member.

3.1 Eligibility for WG Membership

EMVA Standards Working Group membership shall consist of companies, institutes or universities, acting through a representative, who:

- Agree to actively participate and contribute to the standard’s development and maintenance;
- Are a member of EMVA or, in case that the standard has been accepted by participating organisations in G3 as a standardization initiative of global scope, a member of any other of the G3 associations; and
- Have applied for WG Membership, accurately completing and filing the EMVA WG Application Form (including acceptance of the EMVA IPR Policy and having made an IPR Declaration in the approved form).

Membership of a Working Group is open for all members of EMVA and (for standards accepted by G3) also members of G3 associations.

In certain circumstances, the requirement that a Working Group member needs to be a member of one of the associations participating in G3 cooperation may be waived by the EMVA Board of Directors, on request by the Working Group Chair/s according to such rules and requirements as may be in place from time to time and have been established in consultation with the corresponding Working Group. The waiver by the Board of Directors will not be unreasonably withheld.

Working Group members shall be provided, through their representative:

- Access to the Working Group meetings and discussion group(s) consisting of all members of the Working Group;
- Access to a file sharing/versioning system, for documentation and software code, so that they can easily collaborate and maintain the standard and supporting work;
- Access to meeting agendas, minutes, ballots, (draft) standard documents;
- Other benefits defined by the Working Group, including participation in events and activities organised by the Working Group (which may involve payment of the corresponding activity fees).

Members and their representatives must comply with these Procedures, the IPR Policy, and the WG Rules set by the Working Group.

3.2 *Application Process*

Any entity fulfilling the requirements set out in section 3.1 above, may apply for a Working Group membership by submitting its application to the Standards Office and giving their agreement, for themselves and their representative, to be bound by these Procedures, the EMVA IPR Policy and the then current Working Group Rules. The application shall be made on the then current WG Membership Application Form approved by the Board of Directors and include a primary representative and one or more alternate(s) for the applicant.

The Standards Office will review all applications and verify the applicant's membership eligibility. On approval, the Standards Office shall, if and when applicable, issue an invoice for any fee associated with Working Group participation and activities, as determined previously by the Board of Directors and set out in the Membership Form; and on payment, if any, the applicant becomes a member of the WG.

Companies with distinct divisions (e.g. as a result of merger or acquisition) who can show clear independent interests and ability to make independent decisions from other branches, may submit applications for separate Working Group membership (with separate and independent voting rights). Representatives from divisions of companies which are not independent from one another, may participate in meetings, however without multiple voting rights.

3.3 *Maintenance*

The Standards Office is responsible for keeping and reviewing all the Working Group membership lists annually and ensuring that members still meet the aforementioned WG membership requirements. It shall have the right to take any actions it considers appropriate where a member is found in habitual default of its membership obligations, which may include, upon consultation with the Working Group Chair/s, termination of Working Group membership.

In the event of any breach of these Procedures, the Membership Application requirements, the IPR Policy, the License Terms applicable to the Standard, or the applicable Working Group Rules, by a member or its representative, the Board of Directors may, on submission by the Standards Office or the Chair/co-Chairs of the Working Group (or a Vice-Chair, if the breaching member is the Chair), remove the Member from the Working Group.

3.4 *Working Group Chair/co-Chairs*

Each Working Group will have one Chair or two co-Chairs (being representatives of a member/members of the EMVA, unless this requirement is waived by the Board of Directors), elected by the members of the Working Group and approved by the Board of Directors. Candidacy for Chair/co-Chairs must be presented previously to the Board of Directors, and then communicated to the Working Group Members at least 30 days prior to the meeting where the Chair/co-Chairs is to be elected in the notice of meeting. Election as Chair/co-Chairs will then be confirmed by the Board of Directors, with such confirmation not unreasonably withheld.

The Chair/co-Chairs of newly established Working Groups appointed by the Board of Directors. The Chair/co-Chairs shall occupy this position for an initial three-year period, subject to renewal for further two-year periods upon Working Group and Board of Directors approval.

The Chair/co-Chairs may designate a vice-chair/s, upon approval by majority of the Working Group.

The Chair/co-Chairs shall be responsible for:

- Representing the interests of the imaging and vision industry in developing or modifying the Standard;
- Attending and presiding all of its Working Group meetings;
- Definition of homework work-packages for all members who want to become or stay “Contributing Members”;
- Support of the marketing and dissemination activities of the Standards Office;
- Regular reporting (at least twice a year) about the progress of the standard development to the EMVA Board of Directors;
- Regular communication with the User Group.

Co-Chairs shall act jointly when sitting/participating together and may act individually when the other co-Chair is not present or participating, and any Chair or co-Chair may be substituted by a Vice-Chair when necessary.

3.5 *Sub-Groups*

Working Groups may require the creation of sub-Groups consisting of Working Group members that are assigned a specific task within the Working Group activities. The creation of a sub-Group for and by a Working Group, its scope and method of reporting, as well as any subsequent changes in that scope and method, or its termination, requires a submission by the Chair/co-Chairs and approval by a majority vote of the respective Working Group.

The procedural rules of sub-Groups shall be similar to that of the Working Group to which it relates. The Working Group appoints the Sub-Group members and its sub-chair, as well as review the scope, duties, and membership of all sub-Groups annually.

3.6 *Working Group Rules*

Working Groups will approve their own internal procedures rules (“WG Rules”), which must comply with these Procedures and be communicated to the EMVA Standards Office, upon submission by the Chair/co-Chairs and approval of the Working Group in accordance with these Procedures. The Standards Office shall communicate the WG Rules to members of the Working Group. All Working Group members must comply with the WG Rules.

When discussing the WG Rules for approval, Working Groups shall determine the licensing model to be applied to the reference implementation, as well, choosing between the centralised model and the fiduciary one. If the latter is chosen, an IPR Management Committee must be appointed within 3 months, in accordance with the EMVA’s Rules for IPR Management Committees.

3.7 *IPR Management Committees*

If a Working Group decides to apply a fiduciary licensing model for managing the intellectual property rights on the Working Group’s reference implementation of its Standard, a joint committee shall be appointed on the basis of the EMVA’s Rules for IPR Management Committees.

There may only be one IPR Management Committee for each Working Group, and it shall have the responsibility of taking binding decisions regarding the management of intellectual property rights (IPRs) of the Working Group’s reference implementations in accordance with the aforementioned Rules.

All Working Groups applying the fiduciary model shall set out their own rules for appointing their members on the IPR Management Committee. Those rules shall be included in the Working Group internal rules and procedures document.

4 Standards Development and Approval Procedures

The development and approval of EMVA Standards shall follow the procedures set out here.

4.1 WG Meetings

Working Group meetings shall be held at least once every year. Typically, these meetings take place twice a year. The Working Group may hold more meetings when requested by the Chair, the Standards Office, or by petition of three (3) or more members of the Working Group, to conduct business such as receiving reports of work, resolving differences, and considering views and objections. The Working Group shall ensure that a notice including the meeting's preliminary agenda be provided at least **thirty days** prior to the meeting, unless another time frame is agreed by its members.

Restrictions: Meetings' participants may not, during the meeting:

- a) hold discussions which could be interpreted as an attempt to agree or bring about an understanding regarding market price, conditions of sale including warranties, and customers;
- b) hold discussions as to cost data of any manufacturer or seller;
- c) hold discussion on prices or pricing methods;
- d) attempt to exclude any products from manufacture or sale by means of standardization requirements greater than needed to affect a legitimate end use.

Presiding chair: The Chair (or Vice Chair) shall preside at all meetings. In the absence of the chair, and vice chair (if applicable), the Standard Office shall preside or appoint a temporary chair to preside at that meeting.

Quorum: Attendance by (a) $1/3 + 1$ of all current Working Group members of WG with less than 30 current members and (b) the higher of 20% or 11, for all other WGs, shall constitute a quorum for conducting business at a meeting. Other reasonable requirements for a quorum to be constituted may be defined in the WG rules as may be in place from time to time based on the situation of the WG and ensuring a sufficient representation of the WG members.

Agenda. All issues requiring 2/3 majority must be previously submitted and set out on the meeting agenda, communicated to all WG Members at least 30 days prior to the meeting.

4.2 Working Group Homework – Contributing Members

Between Working Group meetings, work packages are given to all members who want to become or stay "*Contributing Members*", being a member who materially contributes to a Standard and does the homework attributed to the member for the corresponding work cycle/meeting. Members are considered Contributing Members until the end of the meeting where their homework work package is considered and voted upon (unless otherwise defined in the specific WG Rules).

Homework may be accepted at meetings or subsequently by those members who have not been able to attend. A typical homework work package would be writing a part of the standard specification or other documentation, extension of the reference implementation, developing tests for the validation framework, drafting and proposing technical documentation; however it may also include any other form of work that is considered

appropriate by the Working Group, including preparing presentations about issues related to the standard for which the Working Group needs to be informed, research or general presentation about a certain aspect of the standard, and tasks related to marketing, dissemination and administration of the standard.

Each Working Group meeting includes reviewing the work packages defined during the last meeting. The Contributing Members vote on the results of the work package of each member, whether present or having submitted the work package previously, with approval through simple majority (see below). Those members having their work package accepted become Contributing Members as soon as the work package review is finished.

At the end of each meeting, the Chair/co-Chairs assisted by the Contributing Members define work packages available for all members who want to contribute for the next meeting. These work packages are designed to distribute the current standard work to members, taking into account the various interests and skills of each member. A work package may have several instances (same or similar work performed in parallel by different members). For example, for performing tests it may be recommended that the work package is picked up by multiple members, each member having full rights related to its homework and being considered a Contributing Member.

Any member of the Working Group can take a work package and thus become Contributing Member at the next meeting provided the work package is approved. Spare work packages may be defined so that members wanting to become active between meetings can take up and submit the work results and become Contributing Members immediately on the next meeting.

4.3 *WG Voting*

All attending Working Group Members have voting rights on procedural and other non-technical WG issues (election of Chairs/co-Chairs, establishing sub-Groups, support to marketing activities and outreach, etc.). Members whose representative cannot attend or participate remotely through telephone or electronic means may appoint a proxy among other members of the Working Group, by prior notice in writing to the EMVA Standards Office and the Chair/co-Chairs of the Working Group.

Only Contributing Members have voting rights on technical issues for or towards approval of a standard: a member deserves voting rights as Contributing Member by accepting and doing its homework work package (see above) and in this manner contributing to the standard. Voting is managed by the Chair/co-Chairs with support of the Standards Office.

Working Group Rules may define additional objective ways to receive voting rights on technical issues, taking into account prior contributions, significant participation, or other objective factors. For example, a member that attended at least 4 of the past 5 meetings and performed at least 3 homework at these meetings, may be granted voting rights even if s/he did not do any homework on the current version.

In general, the Members of the Working Group may vote as follows:

- a) Affirmative;
- b) Affirmative, with comment;
- c) Negative, with reasons (including, if possible, wording or actions that would resolve the reasons for the objection);
- d) Abstain, with reasons.

Exception: For votes on general questions and issues related to appointment of Chairs and co/vice-Chairs, the yes/no/abstain method of voting shall be followed.

Vote of proxy: A proxy's vote is counted only if the designated principle representative fails to vote.

Single vote: Generally, no Member (and thus no individual) shall have more than one vote. However, an individual representing two or more Members may cast a separate vote for each Member represented provided that the Members have given writing notice to the Standards Office of the dual role of their representative.

Voting: Voting is performed at meetings (including through telephone or electronic means), or may be oral or in writing (by email or other written communication) or in writing subsequent to the meeting.

4.4 *Voting Majorities*

a) *Actions requiring approval by a majority*

Except as indicated in (b), all votes require approval by a simple majority (50% + 1) of the votes cast by Working Groups' Members (or Contributing Members, as indicated), either present or represented at a meeting or by prior email if approved. This includes:

- i. Approval of a Vice-Chair
- ii. Formation / disbandment of sub-Groups and scope;
- iii. Approval for submission to the Board of Directors of a change of Working Group scope;
- iv. normal technical decisions relating to the standard (Contributing Members only).

For votes that require a simple majority, only the final result will be recorded by the Standards Office.

b) *Actions requiring approval by a two-thirds majority*

The following actions require approval by at least 2/3 majority of the Members (or Contributing Members as indicated), excluding abstentions, either present or represented at a meeting or by prior email if approved:

- i. Approval of the Chair/co-Chairs (other than initial Chair/s appointed by Board of Directors for the first three year of Working Group). As an additional requirement, this approval requires votes in favour from 50% +1 of all Members of the Working Group;
- ii. Adoption of Working Group or sub-Group procedures, or revisions thereof;
- iii. Approval of release of a new standard or the modification or reaffirmation of an existing one (Contributing Members only);
- iv. Approval of withdrawal of an existing standard (Contributing Members only);
- v. Selection of the fiduciary arrangement for managing IPRs and appointment of the two Working Group member representatives to the IPR Management Committee
- vi. Changes to the WG Rules.

Procedures for actions requiring 2/3 majority:

- The action must previously be notified to all Members in the Agenda at least 30 days before the meeting. In the event of election of Chair/Co-Chairs, details of the candidates must be attached to the notice and this vote is the first to take place. The elected Chair/Co-Chairs immediately takes their position for that meeting.
- On prior written request of one or more Working Group Members (to the Chair/co-Chairs, with copy to Standards Office at least 2 working days prior to the meeting) that the vote be made in writing, then the vote must be in writing (by written ballot supervised by the Chair and supported by the Standards Office), otherwise the vote may be made orally at the meeting.
- In the case of oral votes at the meeting, if there is a quorum at the meeting of less than 50% of all Members eligible to vote on the issue, then the oral vote must be confirmed in writing by all eligible Members ("**Recorded Vote**").

c) Resolutions of views and objections

Views and objections resulting from the above shall be dealt with in accordance with the following.

- i. Once the voting is carried out, the Standards Office shall provide the Chair of the Working Group with the votes (or when appropriate the sub-Group chair).
- ii. The Chair shall review the votes and determine whether the expressed views and objections shall be considered at the meeting or by later correspondence.
- iii. An effort to resolve all expressed objections shall be made, and each objector shall be provided the decisions relating to their objection and the reasons therefore.
- iv. In addition, each objector shall be informed of the existence of an *appeals process*.

In the event substantive changes to a standard are required to resolve objections and unresolved objections, the Chair shall provide the Working Group with both

- v. a report setting out the required changes and
- vi. a "reconsideration ballot" with a two-week voting period, during which time, the members shall be provided with an opportunity to respond to the objections or changes and to reaffirm or change their previous vote.

4.5 Report of final result

The Chair shall report the final result of the voting to the Working Group and the Standards Office.

4.6 Approval of standards

Formal approval of a standard shall proceed as follows:

- a) After having obtained the required voting majority, the Working Group shall prepare and approve a final Release Candidate for the new or updated standard, and the proposed structure and documents of the standard compliance process.
- b) For first approval of a new Standard
 - i. The WG Chair submits the draft of needed documents to Board of Directors for approval;

- ii. Once approved by the Board of Directors, the Working Group shall create a final draft containing the elements set out above in (a) to be approved by a 2/3 majority of the Contributing Members of the Working Group.
- c) For amendments to existing Standards
 - i. The Chair shall submit the new Release Candidate to be approved by a 2/3 majority of the Contributing Members of the Working Group.
- d) Working Group completes the compliance testing documentation (with approval of the Board, for first release), if not already included in the standard document.

4.7 Appeals

After approval of the Standard or amendment in accordance with paragraph 4.6 above, the standard shall be made available by the EMVA (for standards with global reach, by associations cooperating within the G3 initiative) for a 12-week period of appeal, including the conditions for access to the text and procedure for appeals, to provide stakeholders in the industry the opportunity to react to the proposed standard. Appeals on technical points shall be dealt with in accordance with 4.4.(c) above. Appeals on points indicated in Clause 7 below shall be dealt with in accordance with that clause. The Standards Office shall keep a record of all appeals received.

4.8 Formal approval and Publication

Upon completion of Approval and Appeals processes above, including resolutions of views and objections, and appeals, the proposed new or modified standard(s) shall be declared approved by the Standards Office and published on the EMVA website.

5 Records

5.1 Files

The Standards Office shall maintain all relevant documentation relating to the activities undertaken by the Working Group, sub-Groups, and other activities supported by the Standards Office.

5.2 Retention

In order to maintain a coherent record of significant standards development activity, the aforementioned documents shall be kept as follows:

Type of Document	Retention Period
General Correspondence	3 years
New or revised standards Records	5 years
Standards withdrawal	5 years from withdrawal
Others	3 years

6 Communications

In no event shall Working Groups members or representatives use their corporate letterhead when such communication is made to a third party and is directly related to

EMVA and the EMVA standards. This does not apply to day-to-day email communications among representatives and other stakeholders.

EMVA letterhead and/or logo may only be used by the EMVA and its representatives for official public communications and documentation.

a) Formal internal communication

If correspondence between sub-Groups or between Working Groups of different sub-Groups involves issues or decisions (i.e., non-routine matters) affecting other sub-Groups, copies shall be sent to all affected subcommittee chairs, and the Standards Office.

The EMVA, through the Standards Office, will host electronic communications systems as deemed necessary and/or appropriate for the work of the EMVA and its Working Groups, i.e. e-mail reflector and conference calls.

b) External communication

External inquiries relating to the Working Groups should be (re)directed to the appropriate Working Group Chair/co-Chairs and to the Standards Office for information purposes, if not initially copied. All replies to such inquiries made by members shall be made with the appropriate Working Group Chair/co-Chairs and the Standards Office in copy. Members may not make any statement on behalf of EMVA without Board or General Management permission, nor on behalf of a Working Group without permission from the Chair/co-Chairs. Chairs of Working Groups should deal with external inquiries relating to the work of the Working Group as a whole.

c) Requests for interpretation of standards

Requests on standard interpretation shall be addressed to the Standards Office which shall, if necessary and at Standard Office's discretion, forward the request to the appropriate Working Group. Any revisions to the standard which result from such requests shall be processed in accordance with the procedures set out herein.

7 Appeals

Individual or corporate members who have directly and materially affected interests and who have been or may be adversely affected by a substantive or procedural action or inaction of the Working Group shall have the right to file appeal to the Chair, and failing resolution by the Chair, the EMVA Board of Directors. Examples of grounds for appeal are:

- lack of balance on the Working Group,
- dominance by any person or entity,
- inadequate response to a negative comment (again whether from a voting member of the committee or a public commentator), or
- improper restraint of trade concerns

Any appeal shall follow the Appeals Procedure set out below:

7.1 Appeal claim

The appellant shall file a written appeal complaint with the Working Group Chair, with copy to the Standards Office, within sixty days after the date of notification of action or inaction.

Appeals received outside this period may be taken into consideration, upon review by the Chair and the Board of Directors.

The appeal complaint shall set out:

- a. the nature of the objection(s),
- b. the argued adverse effects,
- c. the clause(s) of these procedures or the standard at issue,
- d. actions or inactions at issue,
- e. the remedial action(s) that would satisfy the appellant's concerns, and
- f. whether the appellant has previously tried to resolve the issue and its outcome.

7.2 *Response*

The Chair shall aim to respond in writing to the appellant and inform any relevant third-party stakeholder involved in the appeal ("respondent") and the Standards Office shall inform the G3 member associations, when relevant, at least within ten days from complaint receipt, and shall attempt to address each raised issue within a reasonable period thereafter.

7.3 *Hearing*

Informal Resolution:

- a) The appellant, the Chair and any relevant respondent shall first attempt to resolve the complaint informally in a manner consistent with these procedures in a timely and fair manner.
- b) If informal resolution cannot be reached within a reasonable period set by the Chair, the Chair shall notify the Standards Office and schedule a formal hearing with an appeals panel on a date agreeable to all participants, giving at least ten working days' notice.

Panel:

- a) The appeals panel shall be established for the occasion by the EMVA General Manager and consist of three individuals on the Board of Directors not being directly involved in the matter in dispute, and who will not be materially or directly affected by any decisions made. Both the respondent and the appellant must agree on at least two panellists.
- b) In the event they cannot agree on a panel within four weeks, the matter shall be referred to the Board of Directors who shall then appoint the panellists.

Procedure:

- a) The appellant has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action.
- b) The respondent must show that the Working Group and the Chair took all actions in compliance with these procedures and that the requested remedial action would be ineffective, detrimental or inappropriate for any other reasons.
- c) Each party may provide other pertinent arguments, and the members of the appeals panel may address questions to individuals.

- d) The panel can agree on their own rules of procedure for the hearing and *Robert's Rules of Order* (latest edition²) shall apply to questions of procedure for the hearing not covered here.

Decision: The appeals panel shall render its reasoned decision in writing within thirty days from the hearing. Consideration shall be given to the following positions, among others, in formulating the decision:

- a) Finding for the appellant, remanding the action to the Working Group or the Chair with a specific statement of the issues and facts in regard to which fair and equitable action was not taken;
- b) Finding for the respondent, with specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections;
- c) Finding that new, substantive evidence has been introduced, and remanding the entire action to the Working Group or the Chair for appropriate reconsideration.
- d) Finding that the panel cannot judge on the issue, and escalating the issue to the full Board of Directors

Costs. Each party (including EMVA) bears its own costs in relation to any complaint and hearing

7.4 *Parliamentary procedures*

On questions of parliamentary procedures not covered in these Procedures, *Robert's Rules of Order* (latest edition) may be used to expedite due process.

8 *Formats: Language, document format and metric policy*

8.1 *Language*

English is the working language of the EMVA. All communications and approved standards shall be made or published in English, without prejudice to the option for the Working Groups to issue translations. Only translations issued or approved by the Working Group may be considered equivalent to the English version, but only the English version is binding.

8.2 *Document Format*

All documents submitted and published by the Working Groups shall be in Open Document Format or other open standard format or MSOffice formats. Standards shall be published in PDF/A format (and future versions of any standard).

8.3 *Metric Policy*

The EMVA herein adopts the International System of Units (SI) as the universally accepted method of expressing measurements in all standards developed under its auspices, although it may use specific units commonly used in the industry when more appropriate than the SI unit (providing the SI unit for reference, and a conversion formula or method).

² Current 11th Edition available at <http://www.robertsrules.com/>. It is a manual of procedures governing meetings and other operations of entities and assemblies, including rules on chairs and chairing, debates, motions, questions, voting, and other conduct and procedures at the meetings.

9 Commercial terms and conditions

Provisions relating to commercial terms such as business relations between a buyer and a seller (e.g. guarantees, warranties, and other commercial terms and conditions) shall not be included in a standard developed by EMVA.

Unless otherwise required for standard compliance, the inclusion of proper names or companies or organisations trademarks shall not be included in the text of a standard.

Where a sole source exists for essential equipment or materials, the name and address of the source shall be included in a footnote or informative annex with the words “or the equivalent” added to the reference.

Standards relating to the compliance of products or services shall limit its process or criteria to technical and engineering concerns and may not include any commercial terms or proper names.

10 Intellectual Property Rights

Procedures and activities of the Working Groups, including standards contributions and proposals, must comply with the EMVA IPR Policy. Please see separate EMVA IPR Policy [annexed hereto]. This policy covers, *inter alia*:

- Inbound WG member contribution policy and corresponding licensing terms
- Ownership of IPRs in the standard and in reference implementations
- Outbound standards licensing terms (“Standards License Terms”), for WG members and for Licensees and for the general public
- Management of IPRs through EMVA or, when appropriate, an IPR Management Committee for that standard.