

## **Input to the Process on the “Secure ECMAScript Project” as agreed at the 2nd meeting of Ecma TC39 held in Mountain View, USA, 27-28 March 2008**

**Source: Istvan Sebestyen (Ecma International)**

Quotes from the meeting minutes:

*“The discussion on a new project for a secure EcmaScript (to be known as Secure EcmaScript (SES)) has continued. In the January meeting it was agreed that it was a new scripting language and that there was not yet a design or approach on the table. It was then suggested that there should be an announced public design competition to arrive at the design for the new language.*

*As new input to the discussion **Mr. Sebestyen** mentioned that call for proposals and actually to carry out competition among submitted proposals is a normal practice in several standardization groups and in several standardization areas – very often where “anticipatory standards” are being defined. He mentioned as examples JTC 1/SC 29 projects (JPEG, JBIG, MPEG), or the ITU-T SG16 media codecs development projects where such competition is the normal practice. Usually first a “requirements” document is developed and agreed containing the defined terms of reference for the competition accompanied with a schedule. Usually the contest goes in several rounds where the development converges on the final standard. He promised to distribute example documents to SC 29 for such standard development.*

*Regarding the expressed concern about IPR and Anti-Trust issues that was brought up at the last meeting **Mr. Sebestyen** agreed that Ecma has to investigate in details how such “public” competition for a design approach fits to its by-laws and rules, and to find solution in cases of conflicts. Indeed input of 3<sup>rd</sup> party members who have not committed themselves to follow the bylaws, rules and patent policy is an issue to look at. **Mr Neumann** mentioned that once this has been clarified he would inform the Ecma Management and the Ecma GA for approval for such a new project.*

*Adobe and Microsoft has agreed to lead the effort in preparing the draft “requirements” (“terms of reference”) for such competition. **Mr. Crockford** (Yahoo) and **Mr. Miller** (Google) will come up with a plan for discussion at the July meeting. The schedule is for TC39 to approve a plan in September, submit for legal review, ask the CC for approval at its October meeting, and ask the GA for approval at its December meeting.”*

As agreed in the above meeting I am bringing up some examples for such process. There are many such kind of projects, so indeed the choice has not been easy. I am including here the ISO/IEC JTC 1/SC 29 MPEG Group as example:

[http://www.chiariglione.org/mpeg/working\\_documents.htm](http://www.chiariglione.org/mpeg/working_documents.htm)

On that MPEG Webpage (see attachment) one has an overview of all MPEG related projects also for the past. One can observe that it contains several publicly available “Call for Proposal on....”.

Randomly two examples for “Call for Proposals” are also attached to this document. Probably the “Call for Proposals on MPEG eXtensible Middleware (MXM)” is more relevant, as that also includes a call for source code, and associated IPR statement (on software copyright).

Basically such calls include:

- What shall be standardized and why ?
- Requirements and Deliverables
- Timeline
- IPRs matters
- Contact persons

- References
- Maybe other things, that might be relevant for the Secure Ecma Script Project

For Ecma we would need for any contributor a signed contract between Ecma and the contributor that the contributor (company and person) has read the Ecma Bylaws, Rules and Code of Conduct in Patent Matters and commits himself and the company (if relevant) to follow them. The model text for those paragraphs are included into the templates for new Ecma members and are to be found on the public Ecma Website (<http://www.ecma-international.org/memento/join.htm>).

When after the Call for Proposals contributions are received, the technologies, proposals submitted must be evaluated by TC39 and decision be made on how to proceed. From that point onward we would go back to normal Ecma Work and procedures. If the proposer is not an Ecma Member, but wants to be part of the process then we have to see the concrete individual case and decide on how to deal with it best that it fits into the Ecma Bylaws and Rules.

Is there a residual danger in the project ? Yes, definitely a rest of danger is always there. E.g. the proposer may suggest a technology which has 3<sup>rd</sup> party patents, but he does not know that. Etc...

Antitrust issues: To be honest with such "Call for Proposals" I do not see any Anti Trust Problems. On the contrary, it encourages open participation.

An interesting aspect of the MPEG page: it contains a chapter on "Explorations". These are activities that are under research, thus premature to standardization. This is very similar what TC39 intends to do with the Secure EcmaScript project. If the Exploration Phase is successful MPEG moves that project to the operational standardization work items (e.g. under MPEG23).

Another observation: Because of the research nature of the MPEG standardization of course several standardization projects do not come to a fruitful end. Some of them end get never out of the Exploration Phase, others may get to a written standard, but are not successful in practice. But this is the nature of such "anticipatory standards". Still a successful concept for certain category of standards.