

Minutes of the: **103rd meeting of the Ecma General Assembly**
held in: **Vienna, Austria**
on: **25 June 2012**

President: Ms Auber (HP)
Secretary: Dr. Sebestyen (SG Ecma International)
Attending: Mr. Brookes (Sony), Mr. Elzinga (Ecma International), Dr. Hammer (Siemens Enterprise Networks), Mr. McAllister (Adobe), Mr. Y. Nagai (Hitachi), Mrs. Porath (Intel), Ms Valet-Harper (Microsoft), Mr. Yamashita (Hitachi).
Apologies: Mr. Bisson (Nvidia), Dr. Friedrich (IBM), Mr. Hasebe (Toshiba), Mr. Horwat (Google), Mr. Lakhanpal (AMD), Mr. Matsumura (Fujitsu), Mr. Murata (Canon), Mr. Nohnishi (Konica-Minolta), Mr. Sweeney (Yahoo).

1 Opening

Ms Auber, President of Ecma, opened at 09:00 the 103rd General Assembly meeting and welcomed all attendees.

2 Call for Representatives ([GA/12/056](#))

Dr. Sebestyen proceeded to the call of the Ordinary Member Companies' representatives, present or represented by Proxy to the SG.

9 out of 15 Voting Intentions Forms ([GA/12/056](#)) have been returned.

15 out of 15 Ordinary Member Companies were represented:

Adobe	Mr. McAllister
AMD	Mr. Lakhanpal – Voting intentions
Canon	Mr. Murata – Voting intentions
Fujitsu	Mr. Matsumura – Voting intentions
Google	Mr. Horwat – Voting intentions
Hewlett Packard	Ms Auber
Hitachi	Mr. Yamashita – Voting intentions
IBM	Dr. Friedrich
Intel	Mrs. Porath
Konica Minolta	Mr. Nohnishi – Voting intentions
Microsoft	Ms Valet-Harper
Nvidia	Mr. Bisson – Voting intentions
Sony	Mr. Brookes
Toshiba	Mr. Hasebe – Voting intentions
Yahoo	Mr. Sweeney – Voting intentions

7.7 TC39 – ECMAScript

Activity report: [TC39/12/021](#).

Ms Valet-Harper reported about the activities of TC39.

No standard approval at this meeting.

Very active, very strong TC with lot of meetings, lot of activities. One main current work is on the internationalization of ECMAScript, which is a bit delayed, but it will be finished and approved at the December 2012 GA. Then the standard will be submitted to JTC 1 for fast-track.

The work on completing the 262 Test suite is progressing well. This work has triggered for the need of the extension of the TC39 Software Copyright Policy. This task has been picked up by the IPR Ad-hoc Group under the leadership of **Ms Auber**. The work is on the proposed extension of the TC39 Software Copyright Policy to allow software contributions from non Ecma members as well. Another topic that emerged recently is a possible RF option for the patent policy, where the TC could declare from the very beginning of a project that the aim of the standardization is a RF standard. This seems to be useful for specific subjects where the market expects a RF standard (like “base web standards”).

Dr. Sebestyen added that TC39 has also started a new project on parallel processing of the ECMAScript language. Intel has made in March 2012 such a contribution to TC39. The project was welcomed by TC39, but at that point in time it was not clear what the standard would be (a next version of ECMA-262 or a separate standard). He also mentioned that TC39 had recent contacts with ITU-T SG16 who have used a stripped-down version of ECMAScript for set-top box standardization. TC39 was not in favour of such technical solution because they would have preferred the use of a full ECMA-262, which should be possible today. Perhaps in a next version of the standard that could be achieved. He also mentioned that he recently talked with some JTC 1 SC 29 members who expressed interest in using ECMAScript for multi-media codecs (e.g. in web applications). So it appears to him that also new application oriented groups find interest in using ECMAScript.

Ms Auber noted that it is TC39 members who decide in practice about the strategy of the ECMAScript language. However, if Ecma also wants to be open to ECMAScript applications (e.g. with new TC and TGs) then we would need for that a different set of people with another expertise. They have to be both experienced in ECMAScript and the application area in question. But this is a good opportunity for Ecma.

Mr. McAllister agreed saying that ECMAScript (i.e. JavaScript) has one of the largest user communities on the net, and ECMAScript has a good potential to attract such new user communities for standardization outside of the core ECMAScript standard.

The GA noted that this issue should be kept in mind when planning for future Ecma standardization activities.

Then – on the question of the Editor of the ECMAScript Internationalization standard - there was a discussion if in an Ecma standard major contributing people could be listed on the informal part of the standard if they wanted to be, or not. It has been suggested that we should look into the past and current practice of Ecma and other SDOs on the matter. **It was then decided that the CC should investigate the matter: a) concrete recognition of people listed in the Ecma standard / technical report and b) a general way of**

recognition of key experts in an Ecma standard / technical report. We should both look what are the benefits for Ecma and what for the members of such a recognition.

8 Other CC/Technical activities ([GA/12/048](#))

8.1 Update of Ecma Policy for TC39 on Submission, Inclusion and Licensing of Software ([GA/12/054](#), [GA/12/057](#))

Ms Auber gave an introduction to the topic. TC39 requested last year an extension of the TC39 Software Copyright Policy (this was also extensively reported in the minutes of the December 2011 GA – GA/11/144). To deal with the request early 2012 the Ecma IPR Adhoc Group was revitalized. The participation in the Adhoc Group was open: CC members, interested Ecma Members, TC39 representatives do regularly participate in the work. Up to the Vienna GA 5 conference calls were held, and the work is continuing after the GA. Besides the original request for the extension of the TC39 Software Copyright policy, some Ecma members from TC39 have also proposed that the IPR Adhoc should look into the possibility of adding an optional mode into the Ecma Patent Policy to support the development of Royalty Free (RF) Ecma standards. The argument was that currently TC39 develops Base Web standards, where RF regime is expected. However the current Ecma Patent Policy only guarantees RAND standards. It also allows RF declarations, but that itself is not sufficient that the entire standardization project will produce RF standards. The IPR Adhoc Group has agreed to work on that subject as well.

Several documents have been submitted on the above subjects to the GA.

The Adhoc Group has submitted the “Update TC39 Software Copyright Policy (GA/12/054)” (Version 2). On the content of this document during the last Adhoc Group meeting there was full agreement on the document, however, unfortunately not all persons who had interest in the subject could participate in the last conference call. **Ms Auber** listed the changes that could be made so far but also admitted that not all the TC39 request could be addressed yet. She added that the changes made so far are urgently needed by TC39. However, since the policy is still experimental, further changes, improvements are possible – even in short term. She then also explained the current different opinions in the text on Exhibit A and Attachment 1.

Ms Auber, as HP representative said, that they believe that the for the Version 2.0 proposed Software Policy text is fine as long as there is no RF extension of the Patent Policy. However, should the RF patent policy option be approved the Software Copyright policy text would become problematic. Therefore she requested that when 8.1.2 vote for requesting a Postal Ballot comes up (on the RF extension of the Patent Policy for TC39) at

the same time there should also be a postal ballot for a new update of the TC39 Software copyright policy. HP believes that on the Exhibit A and Attachment 1 text the two policies should be brought into harmony.

Dr. Sebestyen then read out Google's Note to the Voting Intension why they vote negatively on 8.1.1:

"Our explanation of NO vote on 9.1 (Voting Intension Form) is below. Please contact Scott Peterson or Ross Dreyer with any questions.

Our objection concerns a pair of sentences that have been added, one above each of the two instances of the BSD license in Exhibit A and in Attachment 1 ("No patent license ... "). The added sentences are of ambiguous significance. It could either be (i) Ecma advice on the meaning of the BSD license or (ii) a modification of the BSD license terms. If it is Ecma advice, Ecma ought not to be providing such legal advice. If it is a modification of the BSD terms, the result could be misleading as the license terms are represented by Ecma as being the well-known BSD terms, which do not include the patent provision that Ecma has added. This issue was addressed when the policy was drafted several years ago by a carefully worded preamble to the BSD license, which does not purport to alter that license.

These two sentences are unrelated to the changes that have been made elsewhere in the document. We would have no objection to the adoption of the document without the addition of these sentences.

To emphasize, we would vote YES if those two sentences were struck."

Ms Auber said that the discussion will continue among the members and hopes that consensus will be achieved on the later versions.

After some further discussion the GA went to vote:

8.1.1 **Vote on:**

Update TC39 Software Copyright Policy (GA/12/054)

In favour: 13

Against: 1 (Google)

Abstain: 1 (NVIDIA)

Approved by simple majority. This new policy will be updated on the Ecma website right after the GA.

8.1.2 **Vote on:**

Request for postal ballot on a possible further update of the TC39 Software Copyright Policy at the time of a possible postal ballot on the TC39 RF extension of the Patent Policy

In favour: 9

Against: none

Abstain: 6 (AMD, Google, IBM, Konica Minolta, NVIDIA, Toshiba)

Approved by simple majority.

8.2 **Discussion on Royalty Free Ecma Policy for TC39 ([GA/12/058](#), [GA/12/059](#))**

Ms Auber gave a summary of the proposal and the status of work by the IPR Adhoc Group. The work is not finished yet, therefore the GA cannot vote on a finished text. She requested, however, that in case the IPR Committee finishes its work between now and the next GA, the GA authorizes a postal ballot.

She also said that until such a policy is approved, the IPR Group felt that the GA should call upon current TC39 and Ecma members that they are encouraged to submit - on a voluntary basis - for the current TC39 work RF statements, provided they claim to have such patents.

8.2.1 Vote on:

Request for postal ballot on a possible postal ballot on the TC39 RF extension of the Patent Policy (GA/12/058)

In favour: 14
Against: none
Abstain: 1 (NVIDIA)

Approved by simple majority.

8.2.2 Vote on:

Request for TC39 RF Patent Declarations on ongoing TC39 projects (GA/12/059)

In favour: 14
Against: none
Abstain: 1 (NVIDIA)

Approved by simple majority.