

Excerpts

Minutes of the: *meeting of the Co-ordinating Committee*
held in: *Geneva*
on: *15 – 16 October 2013*

Chairman: Ms J. Auber (HP)
Secretary: Mr. I. Sebestyen (SG Ecma)
Attending: Mr. K. Brookes (Sony, over phone), Mr. O. Elzinga (Ecma),
Dr. J. Friedrich (IBM), Mr. D. McAllister (Adobe),
Ms I. Valet-Harper (Microsoft), Mr. K. Yamashita (Hitachi).

0 Approval of the agenda

The draft agenda of the meeting was approved (CC/13/023: Draft agenda cc meeting, October 2013) by the CC with minor additions.

1 Review of TC Activity reports

The following TC Chairmen's reports were presented:

TC12 Mr. Elzinga
TC20 Mr. Elzinga
TC26 Mr. Sebestyen
TC31 Mr. Yamashita
TC32 Mr. Elzinga
TC38 Mr. Elzinga
TC39 Mr. Sebestyen
TC43 Mr. Sebestyen
TC45 Ms Valet-Harper
TC46 Ms Valet-Harper
TC47 Mr. Elzinga
TC48 Mr. Elzinga
TC49 Mr. Sebestyen
TC50 Mr. Elzinga

The TCs were grouped together for discussions in 3 tiers:

Tier 1: Most active TCs

Tier 2: Normally active and Maintenance TCs

Tier 3: Less active or Dormant TCs

The reason for that was to utilize in an optimal way the discussion time available.

1.4 TC39 - ECMAScript

Activity report: [TC39/13/061](#).

Chairman: **Mr. John Neumann** (Microsoft, Yahoo, Mozilla, Google), Vice Chair: Vacant.

Mr. Sebestyen gave a verbal activity report: well attended meetings in Redmond, Microsoft (see [GA/13/082](#)) and in Boston (see [GA/13/114](#)) with over 30 participants each. Facebook were invited and they attended with an indication that they would like to apply for Ecma membership (which they did see in [GA/13/111](#)). Several other experts were invited as well, Lab49 is the first to use the 3rd party contribution policy.

Philippe Le Hégarret, who is Internet Domain Leader of W3C, also attended the September meeting; W3C intend to intensify liaison on HTML5, CSS3 and Real Time Web. A joint meeting with them in the fall of 2014 is possible. TC39 appointed already in July 2013 **Alex Russell** as Liaison officer to the W3C.

Finishing ES6 is scheduled for December 2014. There is still a lot of work to do also for ES7 but nothing to be approved at the December 2013 General Assembly.

More test modules are added to Test262 and ECMA-402 without seeking GA approval this time. It is not decided if the ECMA-402 tests will be included in Test262 or they remain separate.

Mr. Sebestyen introduced a new discussion on the TC39 mailing list: Some in TC39 are questioning the suitability of the Ecma text copyright policy for ECMAScript, they claim:

- 1) copied parts of the text in the standard cannot be used as comment of software codes; and
- 2) development of another (forked or reused) language based upon ES could not be done.

The general question is: How should Ecma defend its role as ES developer?

After the introduction the more detailed discussion was carried out under paragraph 3 below.

So far only few members (mostly key TC39 members) submitted their registration to the experimental TC39 RF TG; the CC recommends that the GA instructs TC39 to take a final decision (min. 50% majority vote) on creating a RF TG no later than January 2014. If by then no RF TG is created and if the RF TG not launched the current, still RAND based policy for all TC39 standardization work remains.

TC39 and the GA approved (in October 2013) the JSON base grammar and interchange format as ECMA-404. Originally this was targeted as joint text with IETF, but according to

Doug Crockford, the creator of JSON and Editor on both the Ecma and the IETF side, the IETF did not want to have the base JSON grammar and interchange format as its own standard. Mr. Crockford resigned as an editor of the IETF project. It is not decided yet by TC39 if they would like to fast-track ECMA-404 to JTC 1.

Regarding 3rd party software contributions to ECMAScript work the request is still there. The CC suggested planning a meeting with the Ecma IPR Group. **Mr. Sebestyen** said that the current text for Ecma members might also work for 3rd party contributions and the IPR Group has been requested some time ago to give their opinion on this.

TC39 is also discussing how to increase the frequency of new Editions of ES. One idea is to have yearly new releases for ES. At present there is no decision on that issue yet.

3 Ecma policy matters

3.1 Ecma RF IPR Policy extension to TC39 – status of implementation

This has been discussed in the TC39 discussion. See above.

3.2 Ecma TC39 Software Copyright Policy extension to 3rd Party contributors

The CC looked at the current text of the TC39 External Software Copyright Policy. This is still relevant for TC39 work.

In June 2010 the Ecma General Assembly approved this experimental software copyright policy. This policy is being applied by Ecma TC39 but only to members. External “text” contributions have been solved at the June GA. **Mr. Sebestyen** said that for 3rd party Software the current software submitter contributions could be used:

<http://www.ecma-international.org/memento/TC39%20exhibit%20B.pdf>

Mr. Sebestyen said that the Exhibit B “Software Submitter Contribution Form” seems to be applicable also to 3rd parties. **Ms Auber** said that the paragraph F that refers to the Ecma Patent policy which should be checked because that addresses first of all Ecma members and how this can be applied also to non-members (because in such a case we need also to reach also non-members). There was a broad discussion on this in the meeting. In the end it has been agreed that in all cases this has to be consulted and checked by the IPR Committee. The proposal is that we would apply Exhibit B also for 3rd parties (non-members) if the IPR Group does not object to it.

The draft text should be reviewed again by the CC after the discussion within the IPR group.

3.3 Ecma By-laws and Rules – Participation of non-members in Ecma activities

Mr. Sebestyen presented CC document 22 with the results and feed-back from the TC26 meeting test “filling out” the form by the present non-members. He said that people were basically happy to use the form and did not find hard to fill it in.

Ms Auber said that we have different situations for invited experts. We should apply flexibility when filling in (or not) the form to be decided by the Ecma Secretariat. We should have the form as a flexible tool where we will decide on a case by case basis when to use.

3.6 Extension of Ecma Text Copyright License

The introduction to the subject has been already given above under 1.4 "TC39 – ECMAScript".

The CC has discussed the matter at length.

Regarding the two cases that were summarized by Mr. A. Wirfs-Brock the opinion of the CC was the following:

Case 1: To take out text from the ECMAScript standard and to put it in comments of a software implementation was regarded as "fair use", and the feeling of the CC was that nothing has to be done.

Case 2: To reuse the concepts of ECMAScript in a completely new language (not called ECMAScript anymore) is not a copyright issue and should be possible.

The question of "forking" i.e. to create a new ECMAScript variant (that is also called ECMAScript) without the consent of Ecma would confuse the market and should not be

permitted. So we should disallow derivatives that have the potential to represent the Ecma standard.

The CC has recognized that the ECMAScript Trademark – that is owned in many significant world markets by Ecma International – we have a suitable defense tool.

The CC feels that both above cases can be covered by the current copyright text and it does not need any modification. So no change to the text copyright license is suggested.

The CC has also recognized that a FAQ (to be published on the Ecma website) explaining how ECMAScript can be used and should be used would be useful (including illustrating the fair use cases).

The CC also recommended that the IPR group should review the policy and the correctness of the above CC recommendations and should help to create such FAQ.

4 ISO/IEC

4.1 JTC 1

Ms Auber and **Mr. Elzinga** gave a brief overview about the recent meeting of the

- SWG on Directives (outcome of meetings, any action required).
- Normative referencing was discussed; and also fast-track process for TR.
- Ecma should prepare its own template for Explanatory Report for fast-track submissions.
- Upcoming JTC 1 plenary in France: Ecma shall prepare a report to the JTC 1 Plenary. **Mr. Elzinga** will participate in the JTC 1 meeting.
- Report ([GA/13/121](#)) must be submitted this week to Lisa Rajchel, as we are already late.

4.2 IEC activities

No report.

5 European standardization and EC

5.1 ICTSB/ICTSR

The group is dormant at present.

5.2 ETSI/CEN/CENELEC

It was mentioned in the TC26 report above:

Possible cancellation of the Ecma/CENELEC agreement by CENELEC starting Jan. 1, 2014, depending on what the talks with CENELEC will bring. But CENELEC has already cancelled the current agreement starting from January 1, 2014.

5.3 EC Multi-Stakeholder Standardization Platform

Mr. Sebestyen gave an update of the status of the EU recognition: The EC has suggested “ECMAScript” as a test case for their new policy. They have suggested more the “technology” than the actual ECMA-262 or related standards. As a first task we had to identify which concrete standards and TRs can come into consideration. The main ECMA-262 is already an International Standard due to the fast-track to JTC 1, so it is not subject of recognition.