

Reproduction of third-party text, figures, tables, etc.

After observing an increase in reproduction of third-party material in ETSI deliverables, we wish to remind ETSI contributors working on ETSI deliverables (being members or ISG Participants) of ETSI's current rules as stated in the ETSI Directives.

What we consider at ETSI as third party material?

It is **any** material that **doesn't** belong to either ETSI or to its members or ISG Participants and which could be protected by copyright. Members and ISG Participants who wish to contribute their own material do not need an authorization to do so.

What is stated in the ETSI Drafting rules?

It is essential to ensure that the introduction of third-party material respects the principle of neutrality and impartiality stated in clause 1.10 of the ETSI Drafting Rules.

*The provisions of the ETSI IPR Policy and the ETSI Guide on IPR **shall** be respected.*

*The **use and reproduction of third-parties text, signs and material legally protected should be avoided** in ETSI deliverables. Please consult clause 4.3 of the ETSI Drafting Rules.*

*If, in exceptional circumstances, the reproduction of third parties' intellectual property rights in an ETSI deliverable cannot be avoided, the IPRs owner's authorization to do so **shall** be obtained.*

*Reference to the source and the owner **shall** always be provided in ETSI deliverables.*

What is the common sense?

ETSI wishes to remind you to be **cautious** when third-party text/documents/figures/tables/software elements or photographs are to be incorporated in ETSI Deliverables and **to insist above all that ETSI strongly encourages reference** (by giving the title of the material, name of the owner and source where to find it) rather than reproduction.

ETSI does its best to protect its publications' intellectual property rights and this safeguarding role is an important element of the ETSI Secretariat's responsibilities. In turn, naturally we try to set a high standard when using the intellectual property rights of others in the work that we publish.

All contributors to ETSI Deliverables have an important role to play in respecting the intellectual property rights of others and are reminded that suppressing or concealing reference to protected material belonging to a third party constitutes an infringement and may lead to a counterfeiting situation where ETSI and incidentally its members could be sued.

In practice the rule is that all those who are active in the drafting and editing of the document need to check if the proposed third-party material is **freely usable and reproducible** in ETSI deliverables. Most times this implies that **you need to ask owners of concerned third-party material for permission to reproduce** it in ETSI deliverables, and whether there are any conditions to satisfy. *The written [authorization](#) has to be addressed to the owners of the source (organization/publishing house/private individual).* In a perfect world all this needs to be done **before TB approval**.

The copyright owner must inform the ETSI Secretariat (preferably [editHelp!](#) or the Technical Officer or the ETSI TB support team) of their decision to allow reproduction of the requested material and of any associated conditions in writing. The authorisation shall accompany the draft when sent to the Secretariat. This written authorisation will be kept in our records as an evidence in case of issues. Additional information can also be found on the [editHelp! website](#).

It is important to respect these conditions. Be aware henceforth of the possible concomitant publication delays you may experience if such issues arise and haven't been dealt with beforehand. The Secretariat will refrain from publishing until the authorisation has been obtained. The Secretariat as always will do its utmost to help you with these issues.

To sum it all up, the recommended solution is:

The best advice we can give you is to avoid including any third-party material for which permission would need to be sought.

In practical terms here is an example of how to reference material instead of reproducing it:

‘ ... to get access to the functions and data described in ITU-T [ref. number], clause 2.3 ‘

‘ ... as described in IEEE [ref. number], figure 21 ‘

If including third party material is the path you wish to choose...

We strongly encourage you to discuss this with us at the Secretariat at the earliest possible stage of drafting so we may provide all necessary guidance and counsel and overall, remember that you may include third party material in your deliverable, **only with the prior consent of the owner of the material**.