

**ANSI Policy Regarding
Rights to Nationally Adopt IEC and ISO Standards or
Otherwise Use IEC and ISO Material¹**

1. Background:

1.1 ISO or IEC, as a matter of policy, asserts the copyright on ISO or IEC Documents and delegates exploitation rights to ISO member bodies and IEC National Committees respectively.

1.2 As the U.S. member body to ISO, and through the USNC to IEC, ANSI may grant exploitation rights in the United States to standards developers and other distributors to sell and/or distribute ISO and IEC Documents. In addition, consistent with ISO and IEC policy, ANSI, as the U.S. member body to ISO and (through the USNC) IEC, has exploitation rights in connection with ISO and IEC Documents when they are nationally adopted as American National Standards.

1.3 This policy shall supersede the 2003 edition of the *ANSI Policy Regarding Rights to Nationally Adopt IEC and ISO Standards or Otherwise Use IEC and ISO Material*. This policy shall become effective July 1, 2021.

2. National Adoption of ISO or IEC Documents as American National Standards:

2.1 ANSI may share its rights in connection with the national adoption of an ISO or IEC Document (“NAIS”) with an ANSI-accredited standards developer (ASD) as set forth below. It is important to note that any and all ASDs wishing to nationally adopt an ISO or IEC Document, regardless of the attendant circumstances, must first enter in a written agreement with ANSI.

2.2 The general rule for defining a national adoption of an ISO or IEC Document for purposes of this policy is that (1) the national adoption must be processed and approved as an American National Standard and (2) the national adoption must be either identical to the ISO or IEC Document or be modified versions of such a Document in a manner consistent with ISO/IEC Guide 21 “Adoption of International Standards as Regional or National Standards” (“Guide 21”). Any other use of ISO or IEC material shall be decided on a case-by-case basis, and an ASD or other entity wishing to use such material first must enter into an agreement with ANSI.

2.3 Except for those copyright situations covered separately under Section 3 below, whichever TAG Administrator is responsible for the final U.S. position on the ISO or IEC Document will have the right to nationally adopt that ISO or IEC Document as an American National Standard. If the TAG Administrator is an ASD, it can process the adoption itself. The U.S. TAG Administrator may share this right with one or more other ASDs for purposes of a joint adoption subject to entering into a national adoption license agreement with ANSI. Additionally, instead of nationally adopting a specific ISO or IEC Document(s) itself or jointly with one or more other ASDs, the U.S. TAG Administrator may choose to assign this right to another ASD (or other ASDs for purposes of a joint adoption). Under this scenario, the ASD(s) receiving such assigned rights from the U.S. TAG Administrator must enter into a national adoption license agreement with ANSI.

2.4 If no TAG Administrator is responsible for the final U.S. position on the ISO or IEC Document, then an ASD can request the right to adopt such a Document, without forming a TAG, by contacting ANSI and obtaining preliminary approval to process the Document through its ANSI-accredited procedures as an ANS. In such a case, the requesting ASD's proposed national adoption shall be published through the PINS process to determine whether any objections to the national adoption exist. Any

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comments or objections received shall be provided to the ANSI Secretary of the BSR. ANSI staff shall consider any such comments or objections and present a recommendation to the ANSI Executive Committee of the Board who shall make a final determination, approving or denying the national adoption.

2.5 If ANSI serves as the TAG Administrator responsible for the final U.S. position on the ISO or IEC Document, then an ASD can request the right to adopt such a Document by contacting ANSI, in its role as the TAG Administrator, and obtaining preliminary approval to process the Document through the ASD's ANSI-accredited procedures as an ANS. In such a case, the requesting ASD's proposed national adoption shall be both (i) published through the PINS process and (ii) furnished by ANSI to the U.S. TAG – to determine whether any objections to the national adoption exist. Any comments or objections received shall be provided to the ANSI Secretary of the BSR. ANSI staff shall consider any such comments or objections and present a recommendation to the ANSI Executive Committee of the Board who shall make a final determination, approving or denying the national adoption.

2.6 An ASD who currently is responsible for maintaining a national adoption may retain such responsibility until the relevant ISO and IEC Document is revised, reaffirmed or withdrawn as long as the ASD enters into a revised agreement with ANSI. If such ASD is not the TAG Administrator responsible for the final U.S. position on the related ISO or IEC Document, it must obtain such TAG Administrator's consent as set forth in Section 2.3 herein if the ASD wishes to nationally adopt a revised or reaffirmed version of the related ISO or IEC Document.

3. American National Standards or other Standards Adopted as International Standards by ISO or IEC:

3.1 If an ASD previously developed a standard which is later adopted by ISO and/or IEC and the resulting ISO and/or IEC Document is identical to the ASD's standard or is a derivative work thereof, then that ASD shall have the rights to the ISO or IEC Document for purposes of national adoptions and the following conditions shall apply:

- The ISO or IEC Document can be nationally adopted as long as (a) the U.S. did not vote negatively on the ISO or IEC Document or (b) if there was a negative vote, the related U.S. TAG consents to allowing the Document to be processed as a national adoption.
- If the ASD adopts and sells the nationally adopted (American National Standard) version of the ISO or IEC Document in either hard copy or electronic format, there is no royalty due to ANSI, but a processing fee shall apply. In addition, a written agreement must first be entered into with ANSI.
- If the ASD's standard had been previously approved as an American National Standard prior to its identical adoption by ISO or IEC, then the ASD can continue to sell its original copyrighted American National Standard under the ASD nomenclature and title without going through a formal re-adoption process. A notation can be made on the cover and/or in the document that the ISO or IEC standard is identical to the ASD's standard. Under this scenario, there is no royalty due to ANSI in connection with sales of this version of the Document.