

Consortium Standards Bulletin

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Attorneys at Law

TRENDS

CONSORTIA MERGE AS IT BUDGETS REMAIN TIGHT

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The number of consortia being formed rises and falls not only with the advent of new technologies, but with the economy as well. In the later years of the Internet bubble, promotional as well as technical consortia proliferated as new technologies, industries and business models were launched. With the bursting of that bubble, economic reality set in, and many consortia have either folded or, as has become increasingly common, merged into more viable organizations.

In some cases, these consolidations have been the product of logical combinations of duplicative or overlapping efforts. In others, the hype that occasioned the rapid growth of a new consortium was followed by a wave of member non-renewals, as hype inevitably gave way to the grinding challenge of creating demand for the commercial products and services that were being promoted. In still other cases, the major mission of the organization may have been accomplished, and members were not interested in contributing the same level of human and capital resources to the maintenance of the standards that they had dedicated to developing them. And in some instances, fatigue simply set in or turn-over took its toll, where most of a consortium's work had been performed on a voluntary basis.

But underlying most of these combinations is the additional fact that there are a very large number of consortia today, and members are watching their membership fee budgets far more closely, now that budgets are tight. Too often, dollars spent on standard setting seem like "soft dollars," rather than the essential investment in the future that in fact they are. Regardless of one's opinion on that point, if the same result (or most of it) can be obtained through membership in one organization rather than two, then the topic of investigating appropriate mergers is bound (and appropriate) to be raised.

While it has seemed that there have been almost as many mergers of existing consortia announced in the last 18 months as new consortia, the recent merger of the Mobile Wireless Internet Forum (MWIF) into the Open Mobile Alliance (OMA), announced on November 4, 2002, well illustrates this trend. OMA itself was the product of the earlier merger in June of 2002 of the Open Mobile Architecture Initiative and the WAP Forum.

Although it is not widely known, many consortia register for a level of antitrust protection under the <u>National Cooperative Research and Production Act of 1993</u>. Once they do so, they must make regular filings with the Department of Justice and the Federal Trade Commission in order to maintain the protection of that Act. These filings are public, and reviewing them provides an easy way to track the rise and fall of membership at registered consortia.

In its final (as of August 16, 2002) filing before its merger with the OMA, the MWIF reported that in the 90 preceding days, it had gained 7 members and lost 48, for a net loss of 41. In its own most contemporaneous filing, the OMA reported a gain of 8 members and a loss 24, for a net loss of 16. As of the date of this writing, the OMA, which numbered fewer than 200 members at the time of its creation in June, now lists a healthy 323 members at its website.

In a similar way, the Organization for the Advancement of Structured Information Standards (OASIS), has absorbed the initiatives of multiple organizations in the current calendar year, having taken on the work formerly conducted by the PKI Forum (November 4), UDDI.org (July 30) and LegalXML (March 28).

During the same period, OASIS also launched many new initiatives, both internally and in cooperation with other organizations.

As a result of these and prior combinations, OASIS has broadened its mission from its roots in 1993 as SGML Open to become a global organization of 600 corporate and individual members in over 100 countries, furthering the development, convergence and adoption of diverse e-business standards. Those standards include specifications addressing security, Web services, XML conformance, business transactions, electronic publishing, topic maps and interoperability within and between marketplaces.

Many similar examples of consolidation can be called to mind, representing a more healthy trend than in years gone by, when a consortium with flagging membership was more likely to quietly die in the dark. With consolidation becoming an increasingly accepted option, worthwhile specifications and initiatives can be transitioned to successor organizations that will sustain the value created by the investment of the original membership.

By imitating the consolidation practices of the industries that consortia serve, newly formed consortia are able to maintain the nimbleness that the traditional standard setting organizations sometimes lack. Later, by merging with preexisting, "umbrella" consortia, these same initiatives can achieve the stability and longevity that has been a hallmark of the SDOs.

For more information on the consolidations listed above, see the following press releases:

- MWIF/OMA
- OMAI/WAP
- PKI/OASIS
- UDDI/OASIS
- LegalXML/OASIS

To view recent NCRPA filings, see: www.ansi.org/public/federal notices/national cooperative research.html

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NEWS SHORTS

New Consortia

Smart Active Label Systems Consortium (SAL-C.org)

LONDON, England, Nov. 25, 2002 - A group of technology suppliers, standards bodies and associations, and potential users from a wide variety of industries today announced the formation of the Smart Active Label (SAL) Consortium to promote smart active label solutions and create standards to benefit supply chain management, asset tracking and the daily lives of consumers in a wide range of industries. Smart active labels--defined as thin and flexible data carrying devices that contain a power source and utilize radio frequency identification (RFID) technology--can remotely monitor, process, store and may also transmit data over extended communications ranges of up to hundreds of meters. The Consortium was founded on the belief that smart active label systems are a next generation technology, providing customers with complete, real-time inventory visibility and significant improvements in profitability....

For the full press release, see: www.sal-c.org



International Imaging Industry Association, Leading Imaging Companies Form Consortium to Develop and Operate CPXe Directory of Digital Photofinishing Services

San Francisco, California, October 17, 2002 — The International Imaging Industry Association (I3A) and leading imaging companies Agfa-Gevaert Group, Eastman Kodak Company, FotoWire Inc. and Hewlett-Packard announced the formation of a consortium that will create and operate an on-line directory of digital photography services as part of the Common Picture eXchange Environment (CPXe) - an initiative designed to make printing digital images as convenient as using film. The Directory Service, in union with CPXe interoperability standards, will allow any adopting company to list and then connect their compliant devices, applications and services with those of other participants. Companies that will benefit from the new Directory Service include photo-enabled device manufacturers; photo-enabled Web sites and portals; independent software vendors; traditional and non-traditional photo retailers; online photofinishers; and photofinishing system integrators. The CPXe Initiative will provide a reliable and secure business-to-business environment that will enable participants to conduct business transactions. In addition, through the CPXe Directory Service, consumers will be able to quickly locate desired services using familiar search criteria such as a zip code or type of service...

For the full press release, see: www.i3a.org/pr 10 17 02.html

Note: Since the date of this press release, the name of the new organization has been changed to the "Picture Services Network"



Security and IT Industry Leaders Form Organization for Internet Safety; New Alliance Will Propose Best Practices for Handling Security Vulnerabilities

Sept. 26, 2002 — The Organization for Internet Safety (OIS), an alliance of leading technology vendors, security researchers and consultancies, today announced its formation. The OIS was formed to propose and institutionalize industry best practices for handling security vulnerabilities to ensure that security and technology vendors, and security researchers, can more effectively protect Internet users. Founding members of the OIS include @stake, BindView Corp., Caldera International, Inc. (The SCO Group), Foundstone, Guardent, Internet Security Systems, hc., Microsoft Corp., Network Associates, Oracle Corporation, SGI and Symantec.

Currently, there are no widely accepted industry best practices for reporting and managing security vulnerabilities. The absence of common processes and best practices can make it extremely difficult for security researchers and vendors to efficiently resolve security issues and keep Internet users and security professionals informed and armed with the most up-to-date security tools. The OIS is founded on the principle that standardized, widely-accepted processes will allow security vulnerabilities to be handled in a way that reduces the dangers they pose and will help security vendors and researchers to more effectively protect Internet users and critical infrastructures. OIS is actively working to develop guidelines for handling vulnerability information that will be useful for security researchers and technology vendors alike. The organization expects to release drafts of the standards in early 2003....

For full press release, see: www.oisafety.org/pr092602.html



New Initiatives

OASIS Members Form e-Gov Technical Committee

Boston, MA, USA; 4 December 2002 - The OASIS interoperability consortium today announced that it is providing an international forum for governments to voice their needs and requirements with respect to XML-based standards. Bringing together government representatives from around the world, the OASIS e-Gov Technical Committee will support the modernization of government and assist in the electronic delivery of services to citizens and businesses through the coordination and adoption of XML standards....

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Specification News

ISO/IEC and The Open Group announce international approval of the joint revision to POSIX® and the Single UNIX® Specification

San Francisco, CA/Geneva – November 14, 2002 – ISO/IEC Joint technical committee has approved the joint revision to POSIX® and the Single UNIX® Specification as an International Standard. Designated as ISO/IEC 9945:2002, the joint revision forms the core of The Open Group's Single UNIX Specification Version 3 (IEEE 1003.1-2001, POSIX.1). The standard reflects a collaborative effort of industry and formal standardization within the Austin Group, currently chaired by The Open Group's Director of Certification, Andrew Josey. The initiative has included a wide spectrum of participants from industry, academia, government, and the open source community....

For the full press release, see: www.opengroup.org/press/14nov02.htm



General

Who Uses Standards? IFAN releases study of International Standards use

IFAN (the International Federation of Standards Users) has conducted a survey on how International Standards are being used and is making the results available online. Through a questionnaire made available on the Web sites of IFAN, ISO (International Organization for Standardization) and IEC (International Electrotechnical Commission), 288 respondents from 52 countries spoke up on the uses of International Standards and the possible areas for their improvement...

For the full story, see:

www.ifan-online.org/isoportal/livelink/fetch/2000/2035/36282/36500/presscentre/Surv_report.htm