GS1 Industry and Standards Event
3 – 7 October 2016 – Brussels
Transforming business together

Session: Standards Development University for MOs
Time: Thursday, 06 October, 12:30 - 13:45

Who may attend: GS1 MO Staff
Speakers: GS1 Australia, GS1 UK, GS1 Global Office
Agenda

• Welcome & Standards Journey update  Mark Holmes, GS1 GO

• Distributed Working Group  Bonnie Ryan, GS1 Australia

• New IP Policy for MOs  Marie Petre, GS1 GO

• GTIN Management Deployment from an MO perspective
  - GS1 UK Approach for GTIN Management  Paul Reid, GS1 UK
  - Deployment support materials  Patrick Maetens, GS1 GO
Welcome and Standards Journey update

Mark Holmes
GS1, VP of Standards Development
2016 GS1 Forum – Standards Journey

Interactive workshop at Global Forum

- Joint IE/GSMP effort
- Fun, hands-on workshop to drive innovative/creative thinking
  - Accelerated business needs conversation → entrance criteria work
  - Mock standards development – walk through what a working group does
  - Show how to “sell” to community as an actual standard
- Provides a platform to share best practices for:
  - local GSMP participation
  - ideas for improvement/increased impact

Lead: Greg Rowe (completed)
## Standards Journey update

### Common "Challenges"

<table>
<thead>
<tr>
<th>Challenge</th>
<th>Results to Date</th>
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</thead>
<tbody>
<tr>
<td>Time Zone</td>
<td>Distributed Working Group</td>
</tr>
<tr>
<td>Language Barrier</td>
<td>Distributed Working Group</td>
</tr>
<tr>
<td>Standards are too technical</td>
<td>Business requirements and solutions now written to be more business centric, i.e Unique ID</td>
</tr>
<tr>
<td>Time to Market (Speed of Standards Development)</td>
<td>GSMP implemented new approach using new facilitation techniques and F2F meetings</td>
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<tr>
<td>More business process driven (less technical)</td>
<td>New Entrance Criteria</td>
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### Common "Needs"

<table>
<thead>
<tr>
<th>Need</th>
<th>Results to Date</th>
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<tbody>
<tr>
<td>Training &amp; Education</td>
<td>Launched GSMP Quick Start. More programs to come.</td>
</tr>
<tr>
<td>More business involvement</td>
<td>A business case and business challenges are now required in the new Entrance Criteria, along with a focus on the business skill set participation</td>
</tr>
<tr>
<td>Efficient way to collect local input</td>
<td>In process a new Key Account Management Program. More to come.</td>
</tr>
<tr>
<td>Interaction between local customer in local language</td>
<td>Distributed Working Group</td>
</tr>
<tr>
<td>Create global awareness when standards completed</td>
<td>Deployment protocol has been developed, i.e. Unique ID</td>
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Distributed Working Groups

Bonnie Ryan
GS1 Australia, Senior Manager - Trade, Transport & Heavy Industry
Local WG Governance & DWG trial

GSMP

GS1au support

Rail MRO WG Chair: Tony Anetts (Sydney Trains)

Sub Committee
What is intellectual property ("IP") and why does it matter to us?

Marie Petre
GS1, Director Corporate and Legal Affairs
What is intellectual property (IP)?

- Intellectual property (IP) refers to creations of the mind and includes books, paintings, marks, but also software, inventions, designs, trade secrets, ....
- Intellectual property rights (IPR) are the rights given to a person that is the owner (and/or creator) of the IP.
- Intellectual property law (IP law) is the body of law that deals with IPRs.
- There are two types of IPRs:
  - Copyright and related rights
  - Industrial Property (Trademarks, Patents, Trade Secrets)
- Some IP is protected automatically (e.g. copyright), for other IP (e.g. patents) protection must be applied for.
What is the protection offered by IPRs?

• IPRs or IP law typically grants the right holder of IP **exclusive rights** for exploiting and benefiting from their creation.

• IPRs allow the right holder to fight against the **unauthorized use** of their IP or to **license the use** of the IP to others against payment of allow a party to use it provided they pay a fee (aka “royalty”).

• The rights are limited in scope, duration and geographical extent.
Why does it matter to GS1?

- As a Standard Development Organization, GS1’s first and foremost goal is to ensure the widest possible adoption of the standards so that they fully benefit industry.

- The relevance of our standards hinges on a wide participation of industry.

- If IP (software code, trade secret, invention, design, ...) becomes embedded in a standard, any company who implements it may potentially be required to pay a royalty (enter into a license agreement) or litigate and potentially pay damages for unauthorized use of the IP to its right holder.
Why does it matter to GS1?

We have to provide a clear framework of rules that apply uniformly to all working group participants to:

• avoid that patents, copyrights or other IPRs are “planted” by a participant to a working group in a standard allowing owner to claim royalties (e.g. “patent ambush”).

• allow a working group to rework the standard if the Contribution contains material protected by IPRs

• if IP is included in standard: the participants grant reciprocal royalty-free licenses or licenses under so-called “reasonable and non-discriminatory” (RAND) terms.
Why does it matter to regulators?

• Standardization brings together competitors to agree on developments that will benefit the industry as a whole.

• In principle this should be beneficial for competition BUT standards can restrict competition by creating barriers to market entry, by giving companies with standard essential patents market power, etc.

• Antitrust regulators (including the European Commission) accept standard-setting provided it is carried out under strict conditions of openness and transparency.

• EU guidelines specifically require SDOs such as GS1 must ensure access to standards on RAND terms via an IP policy.
Why does it matter to GS1 Member Organizations?

• GS1 Member Organisations have own local WGs and may develop standards, requirements or guidelines.

• They need a policy that addresses IP in a way that complements the global IP Policy.

• MOs also often represent their members in GSMP WGs and may submit the output of their local WG to the GSMP.
Available now!

GS1 MO IP Contribution Declaration Agreement
The GS1 MO IP Contribution Declaration Agreement
CDA: summary of the essential terms

- CDA = Agreement between MO and WG participant but also benefits GS1 GO
- Contribution = concept, data, material and/or suggestions on which Company may have an IPR (= broader than just a necessary patent claim)
- Contribution can be included in a requirement, guideline or standard
- If the Contribution contains IP, the WG participant grants to any party using/implementing the requirement, guideline or standard, to GS1, to MO, to other SDOs (e.g. ISO) a non-exclusive, worldwide royalty-free right and license to use and publish the Contribution
CDA: summary of the essential terms

- OR, if Contributor does not want to grant royalty-free license:
  o send written notice to WG facilitator
  o within 30 calendar days after making Contribution (no ‘IP call’ as such)
  o state intent to grant **RAND** license
  o identify contribution and IP rights thereon precisely
  o identify precise conditions of license

• WG then decides: include Contribution **or** work around

• Effectiveness of the license of one participant depends on reciprocity of granted rights by other WG participant.
CDA: summary of the essential terms

- License with respect to copyrightable material (drawings, databases, software, text):
  - Worldwide, non-exclusive, royalty-free license
  - to any party
  - to copy, publish, distribute and make derivative works
    - but only for use in: the standard or guideline for which contribution was made
    - by other SDOs (e.g. ISO).
CDA: summary of the essential terms

- **Warranties of Contributor:**
  - Contributor is authorized to make contribution
  - Contribution does not violate IP rights of any party (to the best of Contributor’s knowledge)

- **Other notable provisions:**
  - Transfer of IP rights: in case of transfer of the IP to a 3rd party, transfer agreement must provide that obligations under CDA go over to 3rd party.
  - A WG participant may withdraw at any time but this does not affect rights granted before withdrawal
  - Applicable law (Delaware law) and disputes (Delaware courts)
Implications of signing CDA vs IP Policy?

- I am a company that signed a CDA for an MO WG and I now want to join a GSMP WG, do I need to sign the global IP Policy (and Opt In)? Yes.

- I am an MO that facilitated a WG on a specific requirement, guideline or standard and now I want to include that input in a GSMP WG, do I need to collect every company’s consent to IP Policy (and Opt In)? No, but check that the scope of your local WG aligns with the scope of GSMP WG. If it does not match, then you may have to ask them to sign IP Policy or Opt In.

- I am an MO facilitating a local industry engagement group whose intent is not to develop requirements that will be presented by the MO to a GSMP work group, do I need to have participants sign a CDA? No, if you are sure no requirement or standard will develop, yes, if it may result in a requirement or standard.
Which issues does an IP Policy NOT solve?

• It could happen that IP owned by a third party that is not participating to a WG ends up in a standard.

• This party is not bound by the IP Policy!

• WG participants and facilitators must remain vigilant and consider whether there are any known technologies, designs, inventions that pertain to the area on which the WG’s work is being done
Thank You!

- GS1 Nederlands
- GS1 Canada
- Marie Petre
- Eileen Harpell

For your support in “Making it Happen”
GTIN Management Deployment from an MO perspective

Paul Reid
GS1 UK, Head of Standards & Consulting
Standards Deployment

GS1 UK Approach for GTIN Management...and further thoughts

Paul Reid
Head of Standards & Consulting, GS1 UK
6th October 2016
Deployment – what is it?

**deployment**

noun [U] • UK /dɪˈpləm.mənt/  US /dɪˈpləm.mənt/

the use of something or someone in an effective way:

*the deployment of technologies to address this challenge*
Deployment – in the context of GS1
Deployment

Good

• Updates to GS1 GO & MO websites
• Low level marketing to members
• Update training materials
Deployment

- What we are doing for GTIN Management
Deployment

Good

Better

Best

?
Deployment

- What we are doing for GTIN Management
What GS1 UK are doing for GTIN Management

The usual:

• Updates to GS1 GO & MO websites
• Low level marketing to members
• Update training materials

In addition:

• Focused training/updates within GS1 UK, using REAL LIFE examples!
GTIN Management Standard

- Launched 30th June 2016

Old GTIN Allocation Rules

Old GTIN Allocation Rules that required GTIN change

Old GTIN Allocation Rules that did not require GTIN change

New GTIN Management Rules

Decision-Support Tool

An industry tool that is authored from a business perspective and that includes a clear decision process to bring clarity to GTIN management for industry
ALWAYS start with the **Guiding Principles**

1. Is a **consumer** and/or **trading partner** expected to distinguish the changed product from previous/current products?

2. Is there a **regulatory/liability** disclosure requirement to the consumer and/or trading partner?

3. Is there a **substantial impact** to the **supply chain** (e.g., how the product is shipped, stored, received)?
Crosse & Blackwell 4 Kids Meatballs

Don’t change GTIN
Crosse & Blackwell Scooby Doo Pasta Shapes

Change GTIN
Aqua Fruta Lemon & Lime

Change GTIN

Aqua Fruta ‘Citrus Fruits’
Princes Fruit Refreshers

Change GTIN

Princes ‘Fruit Refreshers’
Jucee Lime Squash

Don’t change GTIN

Jucee ‘Lime Squash’
What GS1 UK are doing for GTIN Management

The usual:

• Updates to GS1 GO & MO websites
• Low level marketing to members
• Update training materials

In addition:

• Focused training/uploads within GS1 UK
• Targeted marketing to ‘strategic members’
• Updates to GS1 UK Boards, AGM
• Actively promote the standard with Industry Engagement interactions
• Survey ‘strategic members’ to better understand existing processes around GTIN management
GTIN Management Survey

Are you familiar with the GS1 GTIN Allocation Rules?

These were rules that helped understand when it was necessary to allocate a new GTIN (barcode) following the change to a product, e.g. if the ingredients, size or colour have changed.

Are the GS1 GTIN allocation rules used in your organisation?

How are decisions made about GTIN allocation when products change? *get feedback*

Would you be interested in hearing about a much simpler set of rules?

Why not? *get feedback*

Do you find them easy to use?

Why not? *get feedback*

Share the good news; the GS1 GTIN Management Standard will make it easier!

GS1 GTIN Management Standard

Key points:

- GS1 'solution' to an industry problem
- Replaces the GTIN allocation rules for Retail and Apparel
- Same principles remain, this is simplification to inform better and quicker decision making
- Contains a streamlined set of 10 rules, organised around a set of clear business principles
- Includes the GTIN Management Decision Support tool, making the Standard even easier to follow
- Provides the foundation for unique product identification in the omni-channel world
- Enables further discussions to be had with industry around product variants and GTIN re-use (UniqueID)

***send GS1 UK Marketing email***

Will you be promoting the adoption of the GS1 GTIN Management Standard within your organisation?

Great, please let us know how you get on! Would you like to be involved in future work around UniqueID? (if yes, tell PR)

yes

no

yes

no

yes

no

yes

no

yes

no
What GS1 UK are doing for GTIN Management

The usual:

- Updates to GS1 GO & MO websites
- Low level marketing to members
- Update training materials

In addition:

- Focused training/updates within GS1 UK
- Targeted marketing to ‘strategic members’
- Updates to GS1 UK Boards, AGM
- Actively promote the standard with Industry Engagement interactions
- Survey ‘strategic members’ to better understand existing processes around GTIN management
- Plus...
Listen to our members
The old GTIN allocation rule for product descriptions

Product name and Description Changes to the wording of the existing product name and description (trade item description, short description, additional trade item description) that appear on the product and do not trigger a new GTIN under other rules.

e.g.

- ‘Spicy’ potatoes to ‘Bold & Spicy’ Potatoes
- ‘Creamy’ Ice Cream to ‘Smooth’ Ice Cream
ALWAYS start with the Guiding Principles

1. Is a consumer and/or trading partner expected to distinguish the changed product from previous/current products?

2. Is there a regulatory/liability disclosure requirement to the consumer and/or trading partner?

3. Is there a substantial impact to the supply chain (e.g., how the product is shipped, stored, received)?

- If one or more apply, change the GTIN
- Don’t always look for an exact rule to back this up...especially with product descriptions
Deployment

- Good
- Better
- Best

?
Deployment – in the context of GS1

Deployment?
Deployment – in the context of GS1
Deployment – in the context of GS1

Start early!
Deployment – in the context of GS1

Start early!

- Define what we mean by ‘deployment’
- Agree the roles of GS1 (GO & MO) and Industry in deployment
- Get commitment from Industry to play their part in deployment, not just GSMP
- Set relevant deployment KPIs
GSMP and Sausages

Key Message

GSMP stops here!

Current KPIs feel like:
• How many sausages have we made?
• How quickly did we make them?

But:
• What do our sausages taste like?
• Who’s eating them?
• How do we know we’ve made good sausages? ….etc. etc.

The Opportunity

1. Set good success criteria e.g. adoption metrics
2. Ensure we gain commitment to deploy (users/MOs)
3. Improve communications through the process
4. Produce better collateral to help MOs deliver a consistent message across our members e.g. templates, best practice tips
5. Ensure content is both tech/non tech and for large and small users

Solutions?
Deployment support materials

Patrick Maetens
GS1, Director, Customer Service & Training
Webinar and eLearning tools

GTIN Management

30 June 2016: this website replaces the previous version of the GTIN Rules

The Global Trade Item Number (GTIN) Management Standard is designed to help industry make consistent decisions about the unique identification of trade items in open supply chains.

Download the GS1 GTIN Management Standard document or navigate it online below.

GTIN Management Standard

Overview
- Introduction
- Guiding principles
- New product versus product change
- Minimum requirements

GTIN Management Rules
- 1. New product introduction

Tools
- Decision-Support Tool
- eLearning: Discover more about GTIN Management in the GS1 Learning Zone
- Frequently Asked Questions
- Mapping: Previous to current GTIN Management Standard
Webinar and eLearning tools

eLearning available on the Learning Zone