



NEN'S COPYRIGHTS AND OTHER INTELLECTUAL PROPERTY RIGHTS

STANDARDS FOR A BETTER WORLD

NEN'S STANDARDS AND TRADE MARKS

IN SHORT

An app, software, book, image, photo, magazine or any other (form of) publication - both on paper and digitally - are in principle copyright protected, an intellectual property right. The standards offered by NEN are protected by copyright.

In addition to copyright, there are also other intellectual property rights such as trademark rights. NEN has registered its name and logo as a word mark and figurative mark respectively in the Benelux and Europe.

In general, this brochure indicates the limits of the use of the standards that NEN offers as well as trademark use.

Standards

The aim of developing standards is to apply them as widely as possible. Standards are recorded formal agreements made by interested parties for a product, service or system. This ensures unity, trust, certainty, safety, and quality.

Why is copyright protection so important? Copyright allows NEN to guarantee the use of the content of the standard. In this way, the integrity (reliability) and authenticity of that content is preserved and can be revised, translated, maintained and made public by NEN. This means that customers and other interested parties can always be confident that they are using the correct version of the NEN standards issued by NEN.

Copyright protection is therefore essential to the standards process and its development. NEN protects its intellectual property such as copyright on standards, standard designs, commission documents and/or other NEN publications. NEN standards are protected under Dutch law. The copyright on NEN standards must be respected at all times.

What is copyright exactly?

Article 1 of the Dutch Copyright Act defines copyright as follows: 'Copyright is the exclusive right of the creator of a literary, scientific or artistic work or his successors in title to make the work public and to reproduce it, subject to the limitations laid down by law'.

Copyright infringement exists if the creator's work is produced, reproduced, performed, broadcast, copied, translated or edited without the express consent of the creator or the group/person authorized to manage the material. The person who owns the copyright is the copyright owner.

NEN is the creator of standards and is therefore also the copyright owner of all its standards.

STANDARDS AND COPYRIGHT

By copying and/or distributing standards without permission from NEN, you are infringing the copyrights of NEN, even if this happens unconsciously or unintentionally. Copyright infringement means loss of income for NEN and NEN therefore suffers damage.

Parties who have an interest in the standardization process bear part of the costs of the development process. This income, together with the proceeds from standards made accessible and the knowledge transfer about standards, ensures that NEN is able to carry out all its work. This makes standardization possible.

The boundaries

One of the reasons why copyright compliance in (internet) activities is so difficult to enforce is that the rules can be violated in so many different ways. There are several ways in which NEN's copyright can be violated:

- Misuse of password - a password assigned to one or a certain number of users for access to standards on a special NEN website and subsequently provided to other employees or even third parties.
- Making NEN publications digitally available, for example: Network drive(s), network disks, memory sticks/cards, CDs, DVD, USB, Cloud, server, document management systems, Microsoft sharepoint, Xerox docushare intranet, website, internet.
- Illegal distribution of standards - via e-mail or by making photo copies or copies of the purchased standard and then distributing it. Think of upload websites, Wiki etc.
- Making purchased standards publicly available - either within your own company network or on a publicly accessible website, as a result of which the standard is illegally made available to a large group of users.
- Digitization - scanning, copying, photographing, multiple backups etc. for other people.
- Processing of standards - (partial) translation into your own language and sharing it with others.
- Incorporating standard data into your business documents.
- Making handouts.

STANDARDS AND THE LAW

Standards are not laws but best practices. Anyone can take advantage of them on a voluntary basis. Standards play an important role in business agreements. They offer market participants clarity about and trust in products, services or organizations and challenge society to innovate.

Standards are not mandatory unless referred to by law. The law provides the framework, for example 'a machine must be safe'. The answer to the questions 'How do I produce a safe machine?' or 'How do I test the safety of my product?' can be found in the standards. The standards to which the legislation refers, therefore, give a practical interpretation of the requirements set out in the law.

Freely available standards

A number of standards are freely available. This means that the standard has been redeemed. The costs of making the relevant standard(s) available are then met by a company, body or government. NEN and this other party have entered into an agreement about this. In the case of such an agreement, the standard(s) will be offered free of charge.

The fact that standards are freely available does not mean that the standards are free of copyright. Copyright remains applicable. The freely available standards can only be used as 'stand alone'. This means that you are not allowed to share them with others. Of course, you can point out to other people that they may also download the freely available standard(s) from NEN.

Do you have any doubts? Please feel free to ask and send an e-mail to copyright@nen.nl.

BECOMING AWARE

The simplest and most effective way to prevent the illegal copying and distribution of standards or parts thereof is to ensure that the user is aware of the facts of copyright and of the consequences of copyright infringement. For this reason, the international standardisation bodies ISO and IEC have decided to indicate more clearly that their standards are copyright protected by placing a visual warning symbol next to the copyright notice:



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NEN uses these warning symbols together with other digital watermarks on its digital standards. It's a way to personalize any downloaded standard. The watermark indicates on each page the name of the customer and his company, as well as the date on which the standard was downloaded. It shows that the named customer is the rightful licensee of that standard. In addition, downloadable standards are secured, so that no changes can be made to the (digital) standards.

HOW CAN THE STANDARD BE USED?

Quote

You have the right to quote from the standard(s) for use and inclusion in your company documentation, user manuals, manuals and software applications.

For the sake of clarity: it concerns a very small part of a standard. If you wish to copy more than the right to quote allows, please contact us. Depending on the standard data you wish to copy, we will look into the possibilities.

You may use quotations from the standards without having to ask permission. However, you must clearly state the source. When quotes are used, it is important that they are relevant in the context and form only a small part of the whole.

An example of clear source references:

“The quote (...) is taken from the standard NEN 1234:2010 of NEN in Delft [NL], www.nen.nl.”

Quality assurance:

ISO 9001 certified? By using NEN Connect you can demonstrate that your standards management (external documents) is in order.

(Working) copy for personal use only

If you buy a digital or paper standard you may make one print version as a (working) copy but no more, and only for personal use. You are not allowed to share this (working) copy with others. We give this permission so that you can make notes, comments, markings, etc. in your working copy and still have an original clean version of the standard.

NEN Connect: a legal way to share standards

NEN Connect is NEN's online access. NEN offers users of NEN Connect possibilities to make extensive use of NEN standards in a legal way. By means of a license agreement, multiple users can use the standards you have a license to. The number of users depends entirely on the agreements you made with NEN.

NEN Connect helps users and their colleagues to apply standards so that they have access to the right information and tools to do their work as smartly as possible. By using NEN Connect you do not have to worry whether or not you are violating NEN copyrights.

For more information about NEN Connect: www.nenconnect.nl

FIGURATIVE MARKS NEN

The NEN logo is also protected.

NEN logos are registered figurative marks and may not be reproduced without permission. Do you work according to a certain standard or are you certified to use a standard? If so, you may report this in your communication, but you may not use our NEN logos in doing so. Creating your own logo with NEN in it is also not permitted.

WORD MARKS NEN

One of the trademark rights of NEN is the name NEN. NEN is a protected trade mark. You cannot just use it. Unfortunately, this does happen.

Wrong use of the name NEN is common in:

WRONG USE

- ✗ NEN tests or NEN inspections
- ✗ NEN checked
- ✗ NEN certified
- ✗ NEN ...

RIGHT USE

- ✓ Inspections are in accordance with NEN standard 2484:1989.
- ✓ Products are inspected according to NEN standard 3140:2018.
- ✓ We are certified in accordance with standard NEN-EN-ISO 9001:2015.

The reason why NEN strictly supervises the use of NEN trade marks is to prevent the public from thinking that NEN carries out inspections or that there is a connection between your company and NEN. The public may get the impression that you approve, check and/or certify on behalf of NEN. However, NEN does not certify, nor does it carry out inspections and/or tests. NEN wants to guarantee its independence and objectivity at all times.



MORE INFORMATION

For more information about standards and copyright, please visit our website nen.nl/veelgestelde vragen

If your question is not listed, you can mail to copyright@nen.nl

More information about copyright in general can be obtained from the Dutch Copyright Federation (Stichting Auteursrechtbelangen), www.auteursrecht.nl

Would you like to know more about NEN, standardization and standards? Go to nen.nl

We would like to thank our sister institutes ISO, IEC and SCC for making their copyright information available for the preparation of this brochure.

