



Standards and copyright

 NBN



In a highly digitised knowledge-based economy, the protection of our intellectual property is a key issue. It is our duty to ensure that ours is, in all circumstances, correctly protected. This is an essential condition for the long-term continuation of our activities.

Through this guide, NBN informs and makes users aware of standards and other NBN content regarding the rules of copyright protection. In doing so, NBN seeks a balance between promoting the use of standards and NBN content on the one hand, and copyright protection on the other.

After defining some useful terms, we provide more information on copyright and what this means in practice for users of standards. We then clearly indicate the possibilities and ways for customers and other NBN partners to use the content of standards.

We have tried to present the complex matter of copyright and intellectual property in the most simple, concise and useful way. However, we can imagine that you may still have questions after reading this document. If so, please contact us at legal@nbn.be.

Johan Haelterman
Chairman of the Executive Committee
NBN

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1. Some definitions

NBN

NBN is responsible for developing and promoting standards in Belgium. In addition, it offers solutions for easy access to standards. We provide various digital solutions to this end and organise training courses on the use of management system standards.

Standards

Standards are agreements on products, services, processes, techniques or methods. Standards are developed by experts from all over the world. In this way, they bring together a huge amount of knowledge which is used by companies and other economic stakeholders to improve the quality of products and services. Standards can also help companies to organise value chains more efficiently, protect the environment better or find markets for products and services more easily. In other words the use of standards offers many benefits.

In this guide, the term 'standards' refers to all documents resulting from a standards development process.

NBN content

NBN content relates to all content created, managed or sold by NBN, in whatever form, of which NBN holds or manages the intellectual property rights.

Examples of NBN content include, of course, NBN standards, but also standards from other publishers as well as NBN guides, web pages, videos, or course material. See below for a more complete description of 'NBN content'.

Intellectual property

'Intellectual property' refers to all 'products of the mind'. It comprises literary and artistic property as well as industrial property. Literary and artistic works are protected by copyright as soon as they meet the conditions of form and originality understood as the reflection of the author's personality.

Copyright

Standards and other works developed and published by NBN are copyright protected. To be able to make a reproduction, such as a copy of a work or a communication to the public, the copyright holders' consent of that work is required. The holders' consent is also needed for copying original elements of a work, even if you do not make an exact copy.

In Belgian law, copyright is laid down in Book XI of the Economic Law Code.

2. Standards and copyright

Standards are copyright protected

As an original work, any standard is copyright protected automatically and without further formalities from the moment of its creation.

Even if legislation refers to a standard, it cannot be freely reproduced and is in any case copyright protected.

The experts who cooperate on the elaboration and development of standards assign their economic copyrights throughout the creation process to the standardisation bodies, such as NBN, for example. This transfer takes place by means of a formal commitment when the experts register for the work of the standardisation committees. In any case, they retain their moral rights.

For strictly Belgian standards, NBN holds the full copyright.

As a member of CEN and ISO, NBN holds the EN and ISO standards operating rights for the Belgian territory. NBN must therefore ensure that the copyright on these standards are respected. Finally, NBN also offers standards and content from other publishers, such as BEC, CENELEC, IEC, DIN, BSI, AFNOR, ASTM and ASME. NBN must ensure that the rights of these publishers are protected.

Other forms of NBN content are also copyright protected, such as articles, guides, videos, training, metadata, etc.

Standards and legislation

The use of standards is voluntary. In addition, standards can be used in legislation, contracts or specifications as a requirement or obligation.

In such cases, the standards in question become binding, without questioning the applicable copyright rules.

Governments must also respect NBN's rights. This means they have to ask NBN's permission to adopt all or part of the contents of a standard in legislation.

NBN rights

NBN manages the NBN content rights. This implies that NBN is allowed to exercise the following rights:

- Manage the economic rights related to making standards and their content available to users. For example, concluding a licence agreement for the use of standards.
- Manage the economic rights arising from the sale of standards. For example, selling a standard via the NBN e-shop.
- Allow any reproduction of the contents of standards, or parts of them, by third parties.
- Protect the rights to the works and to the databases the content of which NBN manages. This includes metadata and data or transaction data created by the user.

Protection of NBN rights

It is important to make a distinction between legal protection and technical protection of NBN rights.

In our continental system, legal protection is granted as soon as the work satisfies the form and originality requirement. No formalities are required. Protection is automatic.

Technical protection, on the other hand, can have two different objectives:

- On the one hand, it warns the user that the work is copyright protected.
- On the other hand, it prevents any possibility of the protected work being reproduced.

Technical protection can be implemented in various ways:

- Use of a watermark on the document showing its origin. This reminds the user that the document's content does not belong to them and that dissemination is forbidden beyond its authorised use. The watermark is nominative.
- Use of a Digital Rights Management (DRM) system that controls usage of NBN content by users (for example, the document can be accessed from the PC on which the document was originally opened).
- Real-time monitoring of usage to arrange financial compensation for usage.

Exceptions to copyright

The Economic Law Code, article XI. 189 and f., lists exceptions to copyright, including:

- Exceptions for the benefit of public education or scientific research by institutions officially recognised for that purpose by the government;
- Exceptions for libraries, museums and archives;

These exceptions are possible when justified by the organisation's non-profit-making objective and they do not prejudice the normal use of the work. In these cases, NBN's prior consent is not needed to reproduce the work.

In addition, NBN, beyond the legal exceptions provided by Belgian law, adopted a policy based on the principle of reasonable use inspired by the Anglo-Saxon 'faire use'. Reasonable use is the reproduction of small extracts of standards and other NBN content for non-commercial purposes. Reasonable use of a standard or NBN content requires NBN's prior consent. This is possible by completing a [form](#)¹ on the NBN website which clearly states the limits for reasonable use.

Unlawful use

Unlawful use of NBN content may lead to legal action and payment of damages.

1. www.nbn.be/using-standards/copyright

3. What does 'NBN content' mean?

All forms of content listed below are considered 'NBN content' and are copyright protected:

The standards

- The standards drawn up by NBN. They are easily recognisable by the prefix 'NBN'.
- The standards published by ISO (international level) or CEN (European level).
- Standards from IEC, CENELEC, BEC, DIN, AFNOR or other standardisation bodies.
- Standards of other publishers (ASTM, ASME, etc.).
- Pre-normative documents such as, for example, DIS or prEN.
- Other documents resulting from standardisation work, such as technical reports (TR), technical specifications (TS), guides, etc.

Snippets of standards

- Snippets of standards that can be made available separately, such as tables, graphs, illustrations, formulas, icons and definitions in the standards.
- The metadata of a standard, including, for example, the publication date or a short description of the standard.

Other content

- Any protected content created by CEN, CENELEC, ISO or IEC that NBN is authorised to reproduce.
- Any content created or distributed by NBN, such as books, articles, web content, newsletters, videos, documentation, explanatory graphics or annual reports but also training courses - both physical and e-learning - and their content, such as videos, exercises, supplementary materials, exam questions, etc..
- All content created by users of our services (such as in the context of a public enquiry, user comments on standards, annotations to standards, etc.).

For the simplicity and readability of this guide, we primarily refer to the use of standards. The same principles apply to other possible NBN content.

4. Use of NBN content

For each of the following scenarios, we clarify how NBN content can be used in accordance with copyright law:

- A. I purchase standards on the NBN platform
- B. I use standards via an NBN Lease
- C. I am following a course at NBN
- D. I use NBN content in a partnership
- E. I use NBN content for educational purposes
- F. I use NBN content in the development of standards
- G. I use NBN content in the context of the NAs
- H. I use NBN content in pre-normative studies
- I. I use NBN content as a sectoral operator
- J. I want to use standards in legislation

For each scenario we indicate what is and is not allowed and provide a 'Good to know' section.

A. I purchase standards on the NBN platform

The NBN platform provides access to a collection of more than 40,000 standards. Standards can be easily searched and purchased on this platform.

Basic principles

Via the NBN platform, you can purchase one or more copies of a standard for individual use.

You are responsible for the use of the purchased standard.

A watermark is automatically added to each purchased copy with your contact details. This is a reminder that the standard may not be distributed internally or to third parties.

In practice

DOS	DON'TS
Download the purchased standards on personal devices, provided only the user has access.	Do not reproduce standards or other NBN content and share them externally. For example, with customers, suppliers, contractors or partners.
Print working copies for personal use.	Do not reproduce and share purchased standards or other NBN content for internal use. For example, with colleagues or third parties.
Reproduce extracts from the purchased standards in working documents for internal use. For example, procedures, manuals, etc.	Do not distribute the standards, both internally or externally, via any communication channel. For example, print, email, intranet, internet, training, etc.

Good to know

Does this permitted use of purchased standard not meet your needs? Do several people in your organisation want to use the same standards? Contact us for a customised solution.

B. I use standards via an NBN Lease

With an NBN Lease, you acquire the right to use standards without purchasing them. This allows you to create your own collection of standards.

Advantages :

- Access to the latest version of every standard in your collection.
- Extensive access to NBN's and other publishers' catalogue of standards.
- Easy management and simple administration with quick access to the documents you need.
- Access for several users (multi-user).
- Access to different language versions.

Basic principles

As this is a user licence, you do not own the standards you consult in your collection. You are not the owner and this has certain consequences for the use of our intellectual property: at the end of the term of the user licence, all documents must be destroyed or transferred back to NBN.

In practice

The following rules apply to every user of an NBN Lease.

DOS	DON'TS
Download copies of the standards to personal devices, provided only the user has access.	Do not reproduce standards or other NBN content and share them externally. For example, with customers, suppliers, contractors or partners.
Print working copies of the standard for personal use.	Do not distribute the standards, both internally or externally, via any communication channel. For example, print, email, intranet, internet, training, etc.
Reproduce extracts from the standards in working documents for internal use. For example, procedures, manuals, etc.	Do not share access (logins and passwords) to the platform with colleagues or third parties.

Good to know

Individual standards that are not available in the NBN catalogue can be purchased via the NBN platform. In this case the rules specified in 'I purchase standards on the NBN platform' apply to this.

Do you want to give several people in your company access to standards? [Contact us](#).

C. I am following a course at NBN

NBN regularly organises training courses on management system standards such as ISO 9001, ISO 14001, ISO 45001 and ISO/IEC 27001.

Basic principles

The training material is based on the content of the standards. This material (for both e-learning and classroom-based training courses) substantially consists of the following elements: slides, videos, quiz questions, reflection exercises, etc.

Both the standards and the training material are copyright protected.

Two situations are possible when you follow a course:

- You follow an e-learning course. The full content of our e-learning courses is copyright protected. By purchasing one of our e-learning courses for individual use, you undertake to respect NBN's copyright on all provided teaching materials.
- You follow a classroom-based course. All material used for our classroom-based courses is also copyright protected. This protection covers the documentation you receive during the course, such as hand-outs of presentations, standards and all other possible documents, and is an integral part of your purchase.

In practice

DOS	DON'TS
Download available documentation to personal devices provided only the user has access.	Do not reproduce NBN content. For example, training material, documentation, etc.
Print working copies of the documentation for	Do not distribute training material or documentation via any communication channel. For example, print, email, intranet, internet, training courses, etc.
	Do not share access (logins and passwords) to the online e-learning platform.

Good to know

Do you want to share the content of the training course with colleagues? Contact NBN for a training programme custom-made for your organisation.

D. I use NBN content in a partnership

In the context of a collaboration with other organisations or companies, NBN content can be made available under certain conditions. For example:

- An organisation wants to make NBN content available to its members via its website.
- A company wants to make the content of the standards available to its customers or suppliers.
- An IT company wants to integrate the content of the standard, such as tables or formulas, in software.
- A training institute organises training courses in which NBN content forms an essential component.

Basic principles

As NBN content is copyright protected, an agreement with NBN needs to be reached for this use.

In practice

DOS	DON'TS
Analyse the NBN content you want to use.	Do not reproduce standards or other NBN content and share them externally. For example, with third parties or customers. Also when they have been purchased.
Contact NBN if the content you want to use is copyright protected.	Do not reproduce standards or other NBN content and share them for internal use. For example, with colleagues. This also applies when standards or NBN content has been purchased.
	Do not distribute, standards or other NBN content internally and externally via any communication channel. For example, print, email, intranet, internet, training, etc.

Good to know

Do you work for a professional association, a commercial training company or a software developer? And are you interested in NBN content? If so, please contact us. We're always looking for partners to create value together. We take the time to listen to you and find the best solution for your needs.

All our collaborations are governed by a contract in which the use of NBN content is specified. The aim is to find the right balance between using NBN content and respecting the related copyright.

E. I use NBN content for educational purposes

To make standards accessible to students, professors, lecturers and teachers, NBN offers the Edu portal. Edu is a specific portal that gives free access to more than 40,000 standards from the NBN catalogue.

The standards in the Edu portal can only be viewed in read mode. Copying, printing or downloading standards is not possible.

Basic principles

This portal is reserved for universities, colleges of higher education and secondary schools:

- You are a professor, lecturer or teacher and you want to use standards in your classes to demonstrate their usefulness or applicability.
- You are a student and you want to access the content of a standard or you want to reproduce the content of a standard for a paper, for example.

In practice

DOS	DON'TS
Consult standards on the Edu portal.	Do not reproduce and share standards or other NBN content.
Use content of standards for course material based on legal exceptions or reasonable use.	Do not distribute standards or other NBN content internally or externally via any communication channel. For example, print, email, intranet, internet, training, etc.
Use content of standards for essays based on legal exceptions or reasonable use. Remember to include the correct bibliographic references.	Do not share access (logins and passwords) to the Edu portal with colleagues or third parties.

Good to know

In the context of education or scientific research, the law says that users are exempt from requesting consent from the rightful claimants:

- Insofar as the institution in question is officially recognised by the government;
- Insofar as the use does not constitute a commercial or profitable purpose;
- For all other cases: insofar the legal conditions are met.

Any institution wanting more extensive rights can use other NBN services.

Interested in the Edu portal? Please contact us.

F. I use NBN content in the development of standards

Companies, academics, public bodies and other stakeholders can contribute to the development of standards.

Basic principles

Organisations can delegate individuals to standards committees:

- You are involved as an expert in the development of standards and are active in a Belgian standards committee: you have access to all working documents from your working group and to draft standards.
- You are involved as an expert in the development of standards and active in a CEN or ISO level working group: you have access to all working documents from your working group and to draft standards.

Experts involved in the development of standards are subject to a strict obligation of confidentiality. Apart from their moral rights, they may not assert any economic rights to the standards and technical documents to which they have contributed. To this end, experts give their formal agreement at the time of their registration in a committee.

In practice

DOS	DON'TS
Consult the standards and documentation made available.	Do not reproduce the standards and documentation that are made available.
Download the standards and documentation that are made available to personal devices provided only the user has access.	Do not share the standards and documentation that are made available. For example, with colleagues, suppliers, customers, etc.
Print the standards and documentation that were made available for personal use.	Do not distribute the standards and documentation that are made available via any communication channel.
	Do not share access (login and password) to the systems used by ISO, CEN or NBN for the development of standards.

Good to know

To access the NBN content you're interested in, see our sections 'I purchase standards on the NBN platform' or 'I use standards via an NBN Lease'.

G. I use NBN content in the context of NAs

The NAs are the single point of contact for companies who want information and advice related to certain standardisation fields.

For every NA employee we provide free access to the NBN content in question in a reading room, the NA-portal.

Basic principles

The mission of the NAs is to share their knowledge and normative interpretations with businesses. However, they must respect copyright when communicating the content of standards, pre-normative documents or metadata to their target audience.

In practice

DOS	DON'TS
Consult and advise on the content of standards.	Do not reproduce and share standards or other NBN content.
Interpret and explain the use of standards.	Do not distribute standards or other NBN content internally or externally via any communication channel. For example, print, email, intranet, internet, training, etc.
Refer customers to the NBN website to purchase standards.	Do not share access (logins and passwords) to the NA portal with colleagues or third parties.

Good to know

NAs can also use the principle of reasonable use (i.e. the use of non-essential elements of a standard under certain conditions). See chapter 2 'Standards and copyright'.

H. I use NBN content in pre-normative studies

Pre-normative studies provide the scientific and technical basis for the development or improvement of standards.

Basic principles

Pre-normative studies are carried out by collective research centres. These centres use NBN content to perform their tasks.

Collective research centres conducting pre-normative studies need to respect copyrights. For example, when they use the content of standards during their research or publish the results of their research.

In practice

DOS	DON'TS
Consult and use the content of the standards during the research project.	Do not reproduce and share standards or other NBN content without NBN's approval.
Use extracts from the standard in the publication of the study results subject to referral to, and approval of, NBN.	Do not distribute standards or other NBN content internally and externally via any communication channel. For example, print, email, intranet, internet, training, etc.

Good to know

Do you want to have access to standards and use them in a way that respects copyright? Then check out the sections 'I purchase standards on the NBN platform' and 'I use standards via an NBN Lease'.

Individuals involved in pre-normative research can also invoke the principle of reasonable use.

I. I use NBN content as a sectoral operator

The sectoral operators are responsible for the development of standards in a clearly defined domain. They take care of the administrative and technical organisation and follow-up of one or several standards committees.

The sectoral operators work for and on behalf of NBN, together with standards committees assigned to them.

Basic principles

As an SO agent (i.e. an employee of the sectoral operator responsible for managing standardisation activities), you have:

- Access to SO.myNBN.be. This allows you to access PDF documents (with watermark and DRM) of all standards with NBN prefixes belonging to your standards committees.
- Access in read mode to most of the NBN catalogue (reading room).

The sectoral operator signs a licence agreement with NBN to lay down the use of standards and protect the copyright.

In practice

The following rules apply to every SO agent.

DOS	DON'TS
Consult the entire collection of standards in NBN's online reading room .	Do not reproduce and share standards or other NBN content.
Download the standards within their own standards committees to personal devices provided only the SO agent has access.	Do not distribute standards or other NBN content internally or externally via any communication channel. For example, print, email, intranet, internet, training, etc.
Print working copies for personal use.	Do not share access (logins and passwords) to the SO.myNBN.be portal with colleagues or third parties.

Good to know

Do you have any questions? Contact us via sectorrelations@nbn.be.

J. I want to use standards in legislation

Standards are voluntary agreements involving stakeholders such as companies, governments, civil society stakeholders and academics.

Sometimes governments want to refer to standards in their legislation to simplify legislative work.

Basic principles

Standards are automatically copyright protected from the moment of creation and without the need for further formalities.

To finance standardisation activities, NBN sells standards and provides access to standards collections through subscription formulas.

In other words, standards are not available free of charge. Even if a piece of legislation refers to a standard, the standard cannot be freely reproduced and is in any case copyright protected. Governments must also respect NBN's rights.

In practice

DOS	DON'TS
Analyse whether standards referrals are essential for legislation.	Do not reproduce all or part of the content of a standard in the legislation.
Analyse how best to refer to standards: which standards, method of referral, etc.	Do not distribute standards or other NBN content via any communication channel. For example, print, email, intranet, internet, training, etc.
Consult NBN if you want to refer to standards in legislation.	

Good to know

We regularly notice that legislators refer to standards that no longer exist or have been replaced by other standards. In addition, incorrect standards references are also regularly used in legislation.

Correctly referring to standards in legislation requires a number of principles that are clearly described in the publication: '[Référer aux normes dans les réglementations techniques](#)'².

A government can make a standard available to its stakeholders by making the necessary arrangements with NBN.

2. www.nbn.be/en/using-standards/legislation-standards



Trusted Knowledge

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