

I-CODES & IAPMO (continued)

THE I-CODES ARE the premier model building codes in America. With the adoption of the IAPMO codes, incompatibility will again exist. Definitions, methods and approved materials differ between the two codes. The *I-Codes* are compatible with each other (building, mechanical, fire, etc.) and avoid conflicts that can increase construction costs. IAPMO made the poor business decision to get in bed with NFPA in support of their failed *NFPA No. 5000 - Building Code*. That didn't work so now they want to crawl to ICC under their own terms.

THE BOTHERSOME PART is that the ICC Board of Directors even entertained the idea of changing the code development process with the full support of the voting membership. What were they thinking? Maybe it's time for a new Board that will keep the member's interest first. Expect some fireworks at the ICC Annual Business Meeting this September in Orlando, FL. I wouldn't miss it!

ICC & NFPA LAWSUITS SETTLED -

The National Fire Protection Association (NFPA) announced today that NFPA and the (ICC) have settled several disputes relating to copyright and trademark issues. The settlement protects NFPA's right to continue to publish and distribute its ® and resolves issues related to NFPA's and ICC's trademarks.



- In 2002, the ICC sued NFPA in Chicago federal court charging that NFPA infringed the copyright in ICC's *International Building Code®*. Under the terms of the settlement announced today, ICC has withdrawn the lawsuit "with prejudice," meaning the ICC's copyright infringement charges against NFPA have been given up and can never be brought again. The terms of the settlement also limit in various ways ICC's ability to sue NFPA with new allegations of copyright infringement in the future.
- In separate litigation filed in Massachusetts federal court in 2003, NFPA brought a suit against ICC for trademark infringement and for violation of a 1999 settlement agreement. That case involved ICC's use of NFPA's *International Electrical Code®* trademark as well as other similar trademarks. In the settlement just announced, ICC has agreed to discontinue using the challenged trademarks and to take other steps to ensure that ICC will not infringe NFPA's marks in the future.
- A third dispute in the U.S. Patent and Trademark Office involving the use of the phrase "Certified Building Official" has also been resolved in a manner that will allow NFPA to register its certification marks, "NFPA-Certified Building Official" and "NFPA-CBO."

As part of the settlement of these disputes, ICC has agreed to pay NFPA an undisclosed amount of money for legal fees and costs associated with the litigation's.

Can't We All Just Get Along? There's enough out there in codes and construction compliance for everyone. At least the attorney's has a good year.