



National Information Assurance Partnership Common Criteria Evaluation and Validation Scheme

CCEVS Policy Letter #7

22 November 2004

SUBJECT: Evaluation Conflict of Interest

PURPOSE: To further clarify evaluation activities and conflicts of interest.

BACKGROUND: Due to numerous questions that have arisen with regard to Common Criteria Testing Laboratory (CCTL) conflicts of interest, we issue CCEVS policy to expand section 3.3 of Scheme Publication #1. This policy does not replace or negate the information in Pub #1, however it is meant to be used in conjunction. The CCEVS will incorporate the conflict of interest clause stated below into our standard Non-Disclosure Agreement (NDA) between CCEVS and each CCTL and work with each of your legal points of contacts to obtain signatures on new NDAs.

Conflict of Interest. In order to avoid any actual or potential conflict of interest, the Common Criteria Testing Laboratory (CCTL) agrees that it will not accept for evaluation any product developed, manufactured, or sold by an entity that possesses an ownership interest in the CCTL. Similarly, the CCTL agrees that it will not accept for evaluation any product developed, manufactured, or sold by an entity in which the CCTL has an ownership interest. For purposes of this paragraph, the term "ownership interest" shall include, but not be limited to, any percentage of ownership which is greater than 5%. Other prohibited relationships include, but are not limited to, situations in which the CCTL has entered into an agreement that would result in the CCTL directly benefiting financially from commercial sales of the product that the CCTL has been asked to evaluate, to include arrangements in which the CCTL has a sole distributorship for a product the CCTL evaluated in connection with the Common Criteria Evaluation and Validation Scheme.

Original Signed By

JEAN H. SCHAFFER
Director