Intelliectual Property Rights (IPR) FAQ

Q: When does the new IP Policy become effective?

A: The TM Forum Board of Directors approved the new policy at the May Board meeting in 2012.

Q: Is material submitted to TM Forum covered under NDA?

A: No, there is no expectation of privacy on material submitted to the TM Forum.

Q: Will IPR declarations still be required at every meeting?

A: Yes

Q: Will the Principal Contact be required to declare IP during Corporate Vote?

A: Per section 8.3 & 4 of the IP Policy a Disclosure Request (section 14) will be included every time a TM Forum document is distributed. However there is no obligation/requirement to respond.

Q: Who will be allowed to attend Conference Calls?

A: This will vary a bit based if the conference call is being conducted by a special interest group or community or by a chartered Collaboration Project Team. All chartered Collaboration Project Team calls and meetings are limited to companies that have signed the participation agreement and agreed to the License for that project.

Q: How will I know if my company has signed the agreement to allow me to participate?

A: When we request your authorized IP contact to authorize you to participate in a project, we will copy you on this request. When they authorize your participation, you will be granted access to the Project Work Area and you will be notified that you now have this access (and have been authorized to participate).

Q: How do I join a project team if my company is not currently a member of the project?

A: On October 1, 2012, you would request membership to the chartered Collaboration Project Team via the "Request to Join Team" button in the Community area

On April 1, 2013, you would request membership to the chartered Collaboration Project Team via the "Request to Join Team button", but before being given access , a message will be sent to your company's authorized IP contact and copied to you. The IP contact can then approve or reject your company's participation in a project team. (Note – even if one person from a company has already been authorized to participate, each individual participant must be separately authorized…)

Q: How long to you expect it to take for the IPR Contact to respond?

A: It will vary from company to company. Each person who wishes to participate in a project can help speed this process up by actively working with their authorized IP contact to encourage them to act quickly.

Q: How can I find out who my company's authorized IP Contact is?

A: When you request to join a Project you will be copied on the request to your company's Authorized IP Contact.

Q: Can the IP Contact delegate the approval task to someone else?

A: The principal contact will be asked to inform us of the authorized IP contact, and this info will be recorded in our database. If the company wishes to change the authorized IP contact, the PC may simply make that request. However, it will not be possible to allow person A delegate to person B who delegates to person C… We will only accept instruction from the PC.

Q: Can I withdraw from a team?

A: Yes, an individual may formally withdraw from a Collaboration Project Team, we will provide easy functionality to do that. However certain obligations may remain (i.e., the IPR agreement for the specifics). An individual withdrawing does not necessarily withdraw the company's participation. If all individuals from a member company formally withdraw from the project then the company may or may not continue to be obligated based on the rules in the IPR policy regarding the number of days that their representatives were formally members of the project.

Q: What if my company withdraws from a Collaboration Project Team that I want to continue with?

A: Unfortunately you cannot continue to be a participant of the Project Team.

Q: Are the Principal Contact and the IP Contact the same person?

A: That is a company decision; they are not required to be.

Q: If I am at an Action week and want to join a meeting my company is not a member of, can I?

A: Some meetings may be designated "open information sharing" (entirely at the discretion of the members of the project team) in which case no IPR will be shared and others may attend specifically this meeting.   Otherwise it is not possible for you to attend the meeting unless you have been specifically authorized to join the project.   We will attempt to have the approval process as automated as possible but no guarantees can be made. We are exploring improvement in agendas and scheduling to help you identify meetings before you get on-site.

Q: Is the Project Lead required to police who is attending all meetings and calls.

A: Yes, the project Lead will have access to a list of all individuals eligible to attend the project team's meetings. This will need to be recorded and minuted for each meeting.

This list will be automatically maintained by the system via a strict audit trail. The only way a person or company may withdraw their participation is via the official online form. There is no assumption of withdrawal based on activity level

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Q: I can't always determine who is on a Conference call.

A: Conference call details should be shared only within the private project work area. In this way only authorized project participants will have the relevant information.

Q: Will draft material and working documents be available to non-project-team members?

A: No, only at the point of member evaluation.

Q: Will non-project-team members be able to see any portion of the Collaboration Project Area? Discussions, Questions, Meeting Schedules etc.

A: No. Only the project charter and the highest level Project work area description will be available to these individuals.

Q: Where will questions to Collaboration Project Team be posted if I am not a member?

A: This will still be carried out in the Communities.

Q: Will Cross-Team Discussions be allowed?

A: In Communities and interest groups this will still be possible

It will not be possible to cross-post discussions from Project Area to Project Area or Project Area to Communities.

Q: Can we have Cross Team Meetings at TAW and Conference Calls?

A: As long as this is of the form of an "open meeting" / informational session at which no IPR is shared, and this is documented both in the agenda and the meeting notes, this is ok.

Q: What will the IPR License for all the existing TM Forum material be?

A: The vast majority will be RAND because RAND is the default for (almost) all TM Forum work to date. (The only exception is the interface development tooling.) As we go forward, from a go-to-market perspective it would be confusing for potential implementers of standards and best practices if individual pieces of a single deliverable were subject to different kinds of licensing arrangements. However, if a piece of work is sufficiently stand-alone then a different IP mode may be considered.

Q: Can a Collaboration Project Team change its License agreement after it starts?

A: No. If a project team wants to change its licensing agreement, the team will need to close and re-charter as a new Collaboration Project Team.

Q: If a Collaboration Project Team start work as RAND and decides to become RF Mode, can the work done in RAND be transferred to the RF Mode team?

A: No.

Q: If a Collaboration Project Team references or derives from RAND material is it required to be RAND as well?

A: No. Incorporation by reference does not necessarily impose a licensing regime on something.

Q: Will this change impact our ability to share work with SDOs?

A: May have impact on non-approved work document sharing and it may impact which type of meetings representatives of non-member SDOs can attend. Informational sessions should be no impact. Working sessions where IP is being shared/discussed will need to be handled on a case by case basis just as they are today.

Q: What if I find out my company has IPR after I have said we don't?

A: The IP Policy states "it is understood and agreed that Team Participants do not represent that they know of all potentially pertinent claims of patents and patent applications owned or claimed by a Member…."

Q: Can non-team members provide review comments, corrections to the Collaboration Project Team during review?

A: Yes but they are required to sign a feedback license which also needs to be authorized by the authorized IP contact.

Q: How will this impact Catalyst Teams?

A: They will be handled just like all other Collaboration Project Teams.

Q: Catalyst Teams sometimes expose Proprietary information to one another to enable implementation. Will this be covered under NDA?

A: No

Q: Is material submitted to TM Forum covered under NDA?

A: No, there is no expectation of privacy on material submitted to the TM Forum.

Q: If my company is merged with another company that is a TM Forum member, will I be able to continue as a team participant?

A: You will be required to create a new Collaboration Community user account. You will not be allowed to continue using your existing account.

You will then have to request to join the project using your new account and this in turn will require approval from the new company's Authorized IP Contact to continue participation on a project team.

Q: If I join a new company that is a member of TM Forum will I be able to continue as a project team participant?

A: Not by default. You will need to follow the same process as outlined above.