

Object Management Group, Inc. Uniform Intellectual Property Rights Policy For Separate Subgroups

Version: July 29, 2023

This Object Management Group, Inc. (“**OMG**”) Uniform Intellectual Property Rights Policy for Separate Subgroups, as it may be amended by OMG from time to time (the “**Uniform IPR Policy**”), states the intellectual property rights (“**IPR**”) policy of all separate subgroups of OMG that adopt it (each, a “**Program**”). As of July 29, 2023, it has been adopted by the Industry IoT Consortium (**IIC**), the Digital Twins Consortium (**DTC**), the Augmented Reality for Enterprise Alliance (**AREA**), and Responsible Computing (**RC**). In consideration of, and as stated in, each Program Member’s membership agreement, each Program Member agrees and is subject to the terms and conditions of this Program IPR Policy.

1.1 Confidentiality

Any information disclosed or submitted in connection with the Program, including the activities of any Program Working Group or other Program activity (each, an “**Activity**”), is not confidential, except as expressly agreed to under a fully-executed (i.e., signed) agreement.

If a Member or other participant in a Program Activity desires to keep certain information confidential, it must not disclose it orally, or in any written, electronic (such as email) or other Contribution, unless the disclosure is expressly subject to a fully-executed written agreement that obligates the recipients to treat it as confidential.

For purposes of this Uniform IPR Policy,

- “**Contribution**” refers to Content Contributions, Code Contributions and Data Contributions.
- “**Content Contribution**” means any material (other than software) that is submitted to a Program Activity (for example, during an in-person meeting, in an electronic conference, or via a mailing list maintained by the Program) by a representative of a Program Member, or by another person expressly permitted to do so by the Steering Committee or Executive Director of the Program, in any written, electronic (including email) or other tangible form, including without limitation as a reference architecture, test case or white paper.
- “**Code Contribution**” means software code submitted for use by the Program in a software coding project. Unless expressly agreed to by the Steering Committee or other governing body, all software development projects sponsored by the Program will be open source.
- “**Data Contribution**” means information contributed to the Program for machine analysis.

1.2 Authority

Each Member represents that its Representatives who make a Contribution to the Program (each, a

“Contributor”) has the Member’s authority and permission (and the permission of any other known copyright holders) to make each Contribution under the terms of this Uniform IPR Policy. No Contributions may be made to the Program that fail to satisfy this condition.

1.3 Erroneous Statements

Members will promptly notify the Program if they become aware of any misrepresentations or errors with respect to their Contributions made by their Representatives or in their name. No person making proper use of such a Contribution in accordance with the Bylaws, Policies or Procedures of the Program shall be liable to any Member for infringement or improper disclosure as a result of such use.

2 Copyright

2.1 License and Ownership – Content Contributions.

Each Member and Contributor agrees to grant, and hereby grants, the Program a nonexclusive, irrevocable, sublicensable, royalty-free, paid up, worldwide license, under its copyright in the Contribution, to use, copy and modify the Contribution, to make derivative works from it, and to publicly display, publicly perform and distribute the Contribution and any such modifications and derivative works, in each case with or without attribution to the Program, Member or Contributor. Subject to the Member’s or other person’s ownership of copyright in a Contribution, OMG shall own, and hold for the benefit of the Program, all copyright rights in any compilation or derivative work created by the Program from Content Contributions made in accordance with the copyright license expressly granted under this Section 1.2.1 and the terms of this Uniform IPR Policy.

2.2 License and Ownership – Code Contributions

The copyright in all Code Contributions will be retained by the copyright holder as independent works of authorship. No Contributor or copyright holder will be required to assign copyrights in Code Contributions to OMG, the Program or any Program Activity.

Except as described in the following “Exceptions” paragraph, all Code Contributions to a Program are subject to the following:

- a. All new inbound Code Contributions must be made using the license selected by the applicable working group or other Activity engaged in code development or certification (“**Working Group**”), with the approval of the Steering Committee, from among the “Popular” licenses approved by the Open Source Initiative (the “**Specified License**”); for clarification, each open source Working Group may adopt a different form of OSI-approved license, subject to the approval of the Steering Committee.
- b. All new inbound Code Contributions must also be accompanied by a Developer Certificate of Origin (<http://developercertificate.org>) sign-off in the source code system that is submitted through a contribution process that will bind the authorized contributor and, if the contributor is not self-employed, the contributor’s employer to the applicable license;

- c. All outbound code distributed or developed by a Working Group (“**Developed Code**,” which may consist of Code Contributions, of modifications or derivative works of Code Contributions, or of newly developed code) will be made available under the Specified License.
- d. Documentation will be received and made available by the Working Group under the Specified License.
- e. The Working Group may seek to integrate and contribute Developed Code back to other open source projects (“**Upstream Projects**”). In such cases, the Working Group will determine whether it is willing and able to conform to all license requirements of the Upstream Projects, including dependencies, leveraged by the Working Group. Upstream Project contributions of Developed Code not stored within the repository that holds the Working Group’s Developed Code will comply with the contribution process and license terms for the applicable Upstream Project.

Exceptions: The Steering Committee may approve the use of an alternative (non-OSI) license or licenses for inbound or outbound Code Contributions or other Developed Code on an exception basis. To request an exception, the Working Group will be required to describe the Code Contribution or Developed Code at issue, the alternative open source license(s), and the justification for using an alternative open source license for the Working Group. License exceptions must be approved by a two-thirds vote of the entire Steering Committee.

2.3 License and Ownership – Data Contributions

Except as described the following “Exceptions” paragraph, all Data Contributions to a Program are subject to the following:

- a. All new inbound Data Contributions to the Working Group must be made using the license selected by the Working Group, with the approval of the Steering Committee, from among the Community Data License Agreements listed on cdla.dev (the “**Working Group Data License**.”).
- b. All new inbound Data Contributions must also be accompanied by a representation from the contributor they have the rights necessary to make the Data Contribution available under the Working Group Data License.
- c. All outbound Data distributed or developed by a Working Group (“**Developed Data**,” which may consist of Data Contributions, of modifications to Data Contributions, or of newly developed Data), if made available, will be under the Working Group Data License.
- d. The Working Group may seek to integrate with and contribute Developed Data back to other data projects (“**Upstream Data Projects**”). When integrating such data, the Working Group will determine whether it is willing and able to conform to all license requirements of the Upstream Projects, including dependencies, leveraged by the Working Group. Contributions of Developed Data to Upstream Data Projects not stored within the repository that holds the Working Group’s Developed Code will comply with the contribution process and license terms for the applicable Upstream Project,

Exceptions. The Steering Committee may approve the use of an alternative (non-CDLA) license

or licenses for inbound or outbound Data Contributions or other Developed Data on an exception basis. To request an exception, the Working Group will be required to describe the Data Contribution or Developed Data at issue, the alternative open source license(s), and the justification for using an alternative open source license for the Working Group. License exceptions must be approved by a two-thirds vote of the entire Steering Committee. In the event of a license change to an existing project, Data Contributions prior to the license change remain under the previous license unless otherwise approved by the contributor.

2.4 Conditions of Contribution

If the Program becomes aware that a Contribution contains material for which the necessary copyright licenses have not been granted, it will promptly notify all affected Members (and others to whom it distributed copies), cease distributing the Contribution and make no further use of the unlicensed material. The Program has no duty to publish or otherwise use or distribute any Contribution. No valid patent or copyright will be deemed waived or licensed by any disclosure through a Contribution, except for the copyright licenses expressly granted under Sections 1.2.1 and 1.2.2.

2.5 Release of Material.

The Program will not release a Contribution or any derivative outside the Program's Membership without an explicit vote to release by the Program's Steering Committee (or other governing body) or via an explicit vote to release certain types of Contributions to organizations with which the Program has a liaison or other formal relationship.

3. Trademark

All Members of the Program grant it and OMG the right to use the name of the Member's organization on the Program and OMG websites and on related marketing materials, solely to indicate the Member's participation in the Program.

As long as you remain a Member in good standing, you may use the Program's name and logo, in the format and with the notices provided or requested by the Program, solely to indicate your membership in the Program.

Any trademarks relating to the Program or any Program Activity, including without limitation any mark relating to any of its Activities, must be transferred to and held by OMG for the benefit of the Program, and be available for use pursuant to OMG's then-current trademark policies and procedures.

[OMG's trademarks](#) are some of its most important business assets. OMG has established, and enforces, the "[OMG Trademark Usage Guidelines](#)" covering the use and reproduction of OMG trademarks. OMG Members and others with permission may use OMG's trademarks as strictly provided for and in accordance with the Guidelines. Use of OMG trademarks other than as provided for under these Guidelines is a violation of OMG's (and often various Programs') rights and is strictly prohibited.

4. Permission

4.1 Use of Trademarks and Copyrights

Anyone (including OMG or Program Members) interested in using an OMG or Program trademark, logo, or copyrighted material (e.g., specifications) for appropriate marketing and educational purposes should submit their request, including an explanation of usage intent, using the [“Request to Use OMG Trademarks and Copyrighted Material”](#) form. This request must be approved in writing by OMG either directly or through its Program before the trademarks or content can be used. If you are quoting or referring to a Program document, we require that you credit the appropriate Program document in your materials and provide notice of copyright ownership.

4.2 Image Licensing

It is the responsibility of all presenters who speak on behalf of OMG and its Programs or at events hosted by OMG or its Programs to ensure that images, graphics, videos and logos are properly attributed and licensed. Any fines incurred by OMG or its Programs due to non-compliance with proper image licensing will be charged back to the presenter and his/her organization.

5. Patents

Except as may be specifically agreed under a separate agreement, including without limitation an agreement establishing the terms and conditions governing the development and use of a testbed, no patent license or rights are granted (whether by implication, estoppel, or otherwise) by any Member(s) to any other Member(s) or third parties.

6. No Technical Development

The Program does not adopt technical specifications or specify technologies to be used but may from time to time recommend that particular standard-setting or specification-development projects be undertaken under the management and rules of standards setting organizations.

7. Additional Terms

The Program is bound by and adheres to any additional IPR policies that appear on the Program’s website, which may include without limitation the “OMG Trademark Usage Guidelines,” “Copyright Infringement – Notice and Take-Down Policy,” and “Object Management Group Privacy Policy,” as these may be modified and reposted by OMG from time to time.

The Program may also include additional IPR policies in its Membership Agreement, for example, concerning Working Groups or open source projects; but these may not conflict with the foregoing policies without OMG’s express written consent.

EXHIBIT C

OMG Individual Code of Conduct

Status

This is the second official version approved by the OMG Board.

Last updated Feb 12th, 2020, Pete Rivett and Jason McC. Smith

Changes since last version:

- Added Position Statement
- Modified some language to be more inclusive and positive
- Added Code 2 regarding respecting stated boundaries
- “Workplace Bullying” -> “Bullying”
- Reorganized to reflect BoD feedback: Code, Procedures, Guidelines
- State and emphasize that this Code only applies to individuals, not corporations

License

This Code is released to the public domain according to CC0. It borrows heavily from the W3C Code of Ethics and Professional Conduct.

Questions

Any questions, issues or suggestions should be sent to: conduct@omg.org

Position Statement

OMG is first and foremost a community of professionals who have come together to collaborate on shared concerns, problems, and solutions. We do so in a spirit of both cooperation and competition, knowing that we may not always arrive at a solution that we personally believe is perfect, but one that reflects the best practice thinking of the community as a whole. This community is formed of a diverse collection of individuals, and while we all strive to be professional, we are all human. We will argue, we will push, we will disagree, because that is how we form our best practices and specifications. We do so, however, with respect, with compassion, and with an attempt to, above all, understand in good faith the positions of our community members. Sometimes that understanding requires us to have patience, and set aside our own biases. It may require us to think a bit deeper as to where an individual is coming from, not only in their technical acumen, but in their personal and cultural experiences. In that spirit, we assert that OMG is an inclusive, diverse, and respectful community, and that we will all work to not only maintain that camaraderie and acceptance, but to improve it.

Introduction

OMG is a growing and global community where participants choose to work together, and in that process bring differences in language, location, nationality, and experience. In such a diverse environment, misunderstandings and disagreements happen, which in most cases can be resolved informally and with civility. In rare cases, however, behavior can intimidate, harass, or otherwise disrupt one or more people in the community, which ultimately derails the mission and quality of the output of the OMG Communities as a whole. A Code of Conduct is useful to define accepted and acceptable behaviors and to promote high standards of professional practice. It also provides a benchmark for self evaluation and acts as a vehicle for better identity of the organization. This code (CoC), complemented by a set of Procedures, applies to any individual of the OMG community – staff, member representatives, invited experts, or other participants in OMG hosted or sanctioned events and communications such as meetings, teleconferences, mailing lists, conferences or functions. Note that this CoC complements rather than replaces legal rights and obligations pertaining to any particular situation. It is aimed at providing guidance for individual behavior within the community, and is not intended to govern or oversee behaviors of OMG Members as they go about their regular business. Key italicized words are defined in the Glossary.

Code

We individuals of the OMG community commit to:

1. Treat each other with *respect*, professionalism, fairness, and sensitivity to our many differences and strengths (which may be cultural), including in situations of high pressure and urgency.
2. Recognize and respect stated boundaries by others, whether they concern physical boundaries, continuance of communication, or other requests.
3. Never *harass* or *bully* anyone verbally, physically or sexually.
4. Never *discriminate* on the basis of personal characteristics or group membership.
5. Communicate constructively and avoid *demeaning* or *insulting* behavior or language, including against those not present.
6. Seek, accept, and offer objective work criticism, and acknowledge properly the contributions of others.
7. Be honest about our own qualifications, and about any circumstances that might lead to conflicts of interest.
8. *Respect* the privacy of others and the confidentiality of data we access. This includes personal contact information, as well as technical data.
9. Be respectful in what we say and do, and give others the benefit of the doubt whenever possible, but not to the point of accepting disrespectful, unprofessional or unfair or *unwelcome behavior* or advances.
10. Promote the rules of this Code and take action (especially if we are in a *leadership position*) to bring the discussion back to a more civil level whenever inappropriate behaviors are observed.

Glossary of Key Terms

Bullying

is the use by individuals or groups of persistent aggressive or unreasonable behavior (e.g. verbal or written abuse, offensive conduct or any interference which undermines or impedes work) against another individual or group with less power (which may be due to position, knowledge or resources).

Demeaning or Insulting behavior

is treating another person with scorn or disrespect or acting in a way that reduces another person's dignity, sense of self-worth or general regard within the community.

Discrimination

is the prejudicial treatment of an individual based on criteria such as: physical appearance, disability, body size, race, ethnic origin, genetic differences, national or social origin, name, religion, gender, gender identity or expression, sexual orientation, family or health situation, pregnancy, disability, age, education, wealth, domicile, political views, employment, or technology choices.

Harassment

is any conduct, verbal or physical, that has the intent or effect of interfering with an individual, or that creates an intimidating, hostile, or offensive environment. It includes deliberate intimidation, stalking, following, harassing photography or recording, sustained disruption of talks or other events, inappropriate physical contact, and unwelcome sexual attention.

Leadership position

includes Chairs, OMG management, and Architecture Board and Board members.

Participant

includes the following persons:

- OMG Board
- OMG staff (employees, contractors)
- Member representatives (members and invited guests)
- Anyone from the public taking part in the OMG work environment (e.g. commenting on our specs or emailing us, attending our conferences, functions, etc)

Respect is the genuine consideration you have for someone (if only because of their status as a participant in OMG, like yourself), and that you show by treating them in a polite and kind way.

Sexual harassment

includes visual displays of sexual images, unwelcome sexual advances, sexually suggestive verbal or physical conduct, offensive remarks of a sexual nature, requests for sexual favors, suggested quid pro quo of sexual behavior for professional reward, unwelcome physical contact, and sexual assault. Such conduct or behavior has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating hostile or offensive working environment.

Unwelcome behavior

Hard to define? Some questions to ask yourself are:

- how would I feel if I were in the position of the recipient?
- would my spouse, parent, child, sibling or friend like to be treated this way?
- would I like an account of my behavior published in the organization's newsletter or on social media?

- could my behavior offend or hurt other members of the work group?
- could someone misinterpret my behavior as intentionally harmful or harassing?
- would I treat my boss or a person I admire at work like that ?

Summary: if you are unsure whether something might be welcome or unwelcome, don't do it.

Work environment

is the set of all available means of collaboration, including, but not limited to messages to mailing lists, private correspondence, Web pages, social media, chat channels, phone and video teleconferences, and any kind of face-to-face meeting or discussion.

Code of Conduct Procedures

The Procedures described here accompany the Code of Conduct, and cover what the Code means in practice, what mechanisms have been put in place to assist with incidents, and what consequences can arise from continued violations of the Code by individuals.

General

Important: These procedures do not substitute for intervention by legal authorities. Anyone may seek advice from law enforcement authorities at any time and should do so immediately if a situation is dangerous or potentially so.

Timely action (though not retaliation) is encouraged, especially if a behavior rises to the level of *harassment* or intimidation.

If one person believes another's behavior is inappropriate (inconsistent with this CoC), and ordinary communication between them is not possible, escalation of the issue takes place by contacting one of the OMG Ombuds, which may be done confidentially, either directly or via OMG Staff.

Any individual in the OMG community—including staff, members, invited experts, *participants* in OMG meetings, in OMG teleconferences, and *participants* in mailing lists— may call upon the OMG Ombuds for assistance.

Note that it's up to all *participants* to ensure an environment where people feel comfortable. Someone being harassed may not feel able to raise a complaint, so every member of the community should be aware and ready to both promote and protect the integrity of the community. *If you see something say something.*

If you are being harassed, notice that someone else is being harassed, or have any other concerns at a physical meeting, please contact a member of OMG staff immediately. OMG staff can be identified as they'll be wearing badges.

OMG staff will be happy to help *participants* contact hotel/venue security or local law enforcement, provide escorts, or otherwise assist those experiencing *harassment* to feel safe for the duration of the meeting.

Ombuds

The OMG Ombuds are a small group selected by the OMG Board to act as trusted confidants to work toward resolving complaints between any internal or external constituent. The Ombud positions are held by:

- The OMG CEO

- The OMG Chairman
- The OMG Technical Director
- Four additional members appointed by the OMG Board, with emphasis on diversity (age, gender, race, nationality etc). The term of these positions is “At Will”.

The Ombuds may be contacted individually or severally (potentially all of them via the confidential alias ombuds@omg.org). The current list of all Ombuds can be found at <https://www.omg.org/codeofconduct>. The Ombuds will provide regular reports to meetings of the OMG Board of Directors.

Reporting Channels

Reports of behavior that violates the CoC can be made through several official channels:

- An anonymous report at a web page.. Though it won't be possible to follow up with the reporter directly, it will be fully investigated and action taken to prevent a recurrence. The reporting web page is currently <https://www.omg.org/codeofconduct/report> .
- Calling a phone number which will be directed to a voicemail system. The Ombuds will be directly alerted that a message has been left. The phone number is currently +1 (781) 444-0404 x156.
- Sending email to ombuds@omg.org or an individual Ombud.
- Contacting an OMG staff member in person at badged events, identified by STAFF ribbons on their badges.
- Contacting an Ombud in person at badged events, identified by OMBUD ribbons on their badges.

Sanctions

Depending on the severity and frequency of violations, sanctions applied may include, but not be limited to the following, at the discretion of OMG's CEO or his representative:

- Personal warning
- Public warning, including to the person's employer
- Immediate exclusion from the current event
- Temporary or permanent exclusion from mailing lists, the activities of specific groups, or OMG in its entirety

Note that these sanctions are only for an individual, not an OMG Member organization. An OMG Member is invited to always send another representative, assign a proxy, or otherwise find another avenue to continue the collaboration within the community. The intent is to always promote the functioning of the community as a whole.

Code of Conduct Guidelines

Enacting a Code of Conduct and promoting its use are very different tasks. We understand that it may not immediately be evident how this Code applies to different situations, and provide these Guidelines as a list of points for what we believe to be best practice in an inclusive community of professionals.

These are intended to be food for thought, not rule of law. If you encounter or observe a situation that has you unsure on how to proceed, please contact an OMG Ombud for assistance. If you have questions, issues, or suggestions, you can send them to conduct@omg.org.

Tolerance

We each bring a different background, perspective and expertise. What may be obvious to us may need explanation to others, or them pointed to background reading. Similarly, what may be interesting to some may not be to others.

Most OMG work is voluntary in parallel with a “day job”, and people will have different levels of availability, and that may vary over time and unexpectedly. Hence show tolerance to others, but also try to communicate early if commitments you made cannot be met; both for calls and to read materials or work on assignments. Conversely, show appreciation for contributions, even if they need further work.

Criticism

Criticize ideas, not people. Please avoid:

- Name-calling
- Ad hominem attacks
- Responding to a post’s tone instead of its actual content
- Knee-jerk contradiction

Instead, provide reasoned counter-arguments that improve the conversation.

When you see bad behavior, don’t reply. It encourages the bad behavior by acknowledging it, consumes your energy, and wastes everyone’s time. *Just report it* to the chair of the group or an Ombud.

Nothing sabotages a healthy conversation like rudeness:

- Be civil. Don’t post anything that a reasonable person would consider offensive, abusive, or hate speech.
- Keep it clean. Don’t post anything obscene or sexually explicit.
- Respect each other. Don’t harass or intentionally make life difficult for anyone, impersonate people, or expose their personal information.

Avoid even the *appearance* of any of these things. If you’re unsure, ask yourself how you would feel if your action was featured on the front page of the New York Times.

Guests

OMG Member organizations may invite the participation of Guests who are not members where they bring valuable expertise, knowledge or contacts. This may include participation at OMG meetings, OMG conference calls or OMG mailing lists. (Please contact OMG Staff to inquire about inviting one or more people to an OMG quarterly Technical Committee Meeting, there are some restrictions and guidelines to be followed.) Each such Guest must be vouched for by the inviting OMG Member who is responsible for informing them of this Code of Conduct, and who will be informed of any complaints against them. The above does not apply to the internal communications of Submitter Teams who may make their own arrangements for who they involve, but does apply to Submitter Team communications or events hosted by OMG.

Reporting Guidelines

If someone makes you or anyone else feel unsafe or unwelcome, please report it as soon as possible.

Anonymous Report

You can make an anonymous report here: <https://www.omg.org/codeofconduct/report> . We can't follow up an anonymous report with you directly, but we will fully investigate it and take whatever action is necessary to prevent a recurrence.

Personal Report

You can make a personal report by:

- Calling this phone number: (781) 444-0404 x156. This phone number will direct to a voicemail system. The ombuds will be directly alerted that a message has been left. This voicemail will be continuously monitored for the duration of the event.
- Sending email to ombuds@omg.org or an individual Ombud.
- Contacting an OMG staff member in person at badged events, identified by STAFF ribbons on their badges.
- Contacting an Ombud in person at badged events, identified by OMBUD ribbons on their badges.

When taking a personal report, our staff will ensure you are safe and cannot be overheard. They may involve other staff to ensure your report is managed properly. Once safe, we'll ask you to tell us about what happened. This can be upsetting, but we'll handle it as respectfully as possible, and you can bring someone to support you. You won't be asked to confront anyone and we won't tell anyone who you are. Our team will be happy to help you contact hotel/venue security, local law enforcement, local support services, provide escorts, or otherwise assist you to feel safe for the duration of the event. We value your place in our community at all times.

Resources

Several resources are available to supplement this Code or provide further detail. Where they differ, this document has precedence:

- [MIT Preventing Sexual Harassment online Training](#)
- [Codes of Conduct 101 + FAQ](#)
- [Geek Feminism Conference anti-harassment/Policy](#)
- [W3C Positive Work Environment](#)
- [OMG IPR Policy](#)