



**X12 Corporate Administrative  
Policy and Procedure**

# **CAP05 - X12 Intellectual Property**

# X12 Intellectual Property

## 1 Introduction

The X12 Board of Directors (Board) is responsible for this policy and the associated procedures. X12 members agree to adhere to X12's policies and procedures as a condition of membership. Non-member participants afforded specific collaboration privileges agree to adhere to X12's policies and procedures as a condition of those privileges. Any party may submit a revision suggestion at [x12.org/maintenance-requests](http://x12.org/maintenance-requests).

## 2 Authority

X12 maintains corporate rules which define overall corporate policies and procedures. X12's primary organizational policies are established in the **CAP01 - X12 Bylaws**. The policies established herein supplement the **X12 Bylaws** to establish X12's intellectual property policies in full; no related lower-level governance shall be permitted.

## 3 Background

X12 develops electronic data interchange (EDI) standards, implementation tools, and related products. Such products, also referenced herein as intellectual property or material, are crucial to the sustainability of X12. Policies related to the protection and fair use of these X12 assets, both copyrighted and non-copyrighted, are established herein. These policies are based on U.S copyright laws.

## 4 Patent Policy

X12 follows the current ANSI Patent Policy. In the event it becomes necessary to interpret the ANSI Patent Policy, the X12 Board will review and consider, among other things, the ANSI Guidelines for Implementation of the ANSI Patent Policy.

## 5 Copyright and Ownership

X12 shall own all products developed and approved by X12 committees, all draft work under development by X12 committees, any product developed as a work for hire by X12 staff or contractors, and any product developed by another organization based on an agreement with X12. At the Board's discretion, X12 staff shall register a copyright for such products. X12 shall actively enforce all copyrights and protect all copyrighted assets.

## 6 Copyright Assertion

All intellectual property described in section **5 Copyright and Ownership** is the sole property of X12. X12 members and their representatives, collectively or individually, are not considered to be joint developers or joint copyright holders and do not have rights to such

materials.

As a condition of membership, members and their representatives agree not to assert copyright against X12 or third parties based upon the making, use, sale, reproduction, distribution, disclosure, display, or transmission of any X12 work or derivative.

Members grant to X12, and to the extent such rights cannot be granted at the time of initial membership or renewal, agree to grant to X12 a perpetual, irrevocable, royalty free, worldwide, non-exclusive license under its copyrights, with the right to sublicense, to make, have made, use, distribute or sell, reproduce, display, disclose, perform, transmit, improve and create derivative works based upon the Standard and the Change Procedures for X12 Standard. Members cannot revoke or modify this agreement without giving up the rights of membership

## 7 Fair Use

Fair Use of X12's intellectual property may be granted if the use is in accordance with X12's applicable policies and procedures. Certain fair use situations require an explicit written permission from X12 in advance of use; other use may be permissible without written permission from X12.

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- Reproduction of significant portions of X12 materials for any use.

## 8 Requesting Permission for Use

Any party wanting permission to reproduce or use X12's intellectual property must review X12's IP Use policies, available at: [store.x12.org/store/ip-use](http://store.x12.org/store/ip-use), and follow the request process described.

## 9 Terminology

To ensure consistent use of terms, definitions, and acronyms across X12 products and activities, X12 maintains the **Wordbook**, a comprehensive corporate glossary. The included terms are either proprietary to X12, cite definitions published by another authority, or represent common terms and definitions that are relevant to X12's work. The terms and definitions defined in the **Wordbook** shall be used in X12 work products when applicable, without modification or revision. The **Wordbook** can be referenced online at [wordbook.x12.org](http://wordbook.x12.org).

## 10 Document History

New versions of this document are effective on the approval date.

Date	Description
06/18/2017	v5: Minor reorganization and revisions
09/22/2016	v4: ADP06 renamed CAP04, revised to reflect the organization's name change, and other minor revisions for clarity.
05/11/2015	v3: Revisions approved by the Board
02/03/2011	v2: Revisions approved by Steering
10/09/2002	Initial version approved by Steering