

DECISION
ADB(D)15-2015

SJU Foreground Identification Process
Period starting from 1 January 2014 to 30 June 2015

THE ADMINISTRATIVE BOARD OF THE SESAR JOINT UNDERTAKING (SJU),

Having regard to:

- Articles 18, 1(3), 9 and 5.1 (l) of the Statutes of the Joint Undertaking annexed to Council Regulation (EC) n° 219/2007 of 27 February 2007 on the establishment of a Joint Undertaking to develop the new generation of the European air traffic management system (SESAR) as modified by Council Regulation n° 1361/2008 of 16 December 2008 amended by Council Regulation (EU) n° 721/2014 of 16 June 2014;
- Article 15.1.2 of the Multilateral Framework Agreement governing the ownership of any Foreground generated under the SESAR Programme ;
- The Process for identification of Foreground adopted by the Administrative Board on 30 October 2013 as per Administrative Board Decision ADB(D)08-2013.

Whereas:

- According to the process described in Administrative Board Decision ADB(D)08-2013, the relevant project members:
 - made an initial assessment of the status of each deliverable generated under the SESAR Programme before submitting it to the SJU, and
 - indicated on each deliverable their assessment regarding the ownership of the Deliverables, in particular if it had to be considered as SJU Foreground.
- At each Control Gate, the SJU and the project members then discussed the initial assessment made by the members;
- On 10 September 2015, on this basis and after a second overall review for consistency, the SJU submitted to the Programme Committee a list compiling the ownership status of each deliverable and information contained therein generated under the Programme since 1 January 2014 until 30 June 2015 for final review;
- This list already contained a first automatic classification of the “SJU Foreground” depending on the type of deliverable resulting of the project (i.e. Operational Service and Environment Definition (OSED), Safety and Performance Requirements (SPR), Interoperability Requirements (INTEROP), Technical Specifications (TS), Validation Reports (VALR), Concept of Operations (CONOPS), Detailed Operational Descriptions (DODs), Architecture Description Document (ADD), Technical Architecture Descriptions (TADs), ATM Information Reference Model (AIRM), Information Service Reference Model (ISRM), Final project Report (FPR) and specific System Wide Information Management (SWIM) deliverables);
- On the basis of the Programme Committee members’ assessment received, the SJU compiled a final list based on the following assumptions:
 - When no assessment was received from a Member, it was considered that the Member was sharing the position of the SJU;

- When no information on the ownership of a specific deliverable and information contained therein was received, the SJU used the acronym “N/A” standing for “non-available”;
 - When no information on the ownership of a specific deliverable and information contained therein was provided by any Party, the deliverable was deemed as owned by the SJU or “SJU Foreground”;
- When a different view between the SJU and the Members was resulting of the compiled assessment, the SJU will clarify the ownership status with the Member having a different view;

In its ordinary meeting of 15 December 2015, **HAS DECIDED AS FOLLOWS:**

Article 1

To approve the attached list which details the ownership status of the foreground generated between 1 January 2014 and 30 June 2015.

Article 2

To give a mandate to the Chief Administration Affairs to put in place the necessary process to clarify the ownership status of the remaining foreground (deliverables not included in the attached list), for which the assessment has not been agreed between the SJU and its Member at this stage.

Article 3

The ownership status resulting of this assessment performed by the SJU and its Members shall prevail on any specific IPR statement previously made in the assessed deliverable.

Article 4

The Administrative Board shall take a final decision on the resulting updated list of ownership status of all the deliverables and information contained therein generated under the Programme since 1 January 2014 until 30 June 2015 at the next Administrative Board meeting.

This decision shall enter into force on the date of its adoption.

Done in Brussels, 15 December 2015.

For the Administrative Board

The Chairperson
Henrik Hololei