

ENUM FORUM PRINCIPLES AND PROCEDURES

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This contribution is a set of detailed principles and procedures for the ENUM Forum. ENUM is defined as a “A protocol developed in the IETF, RFC 2916, for fetching Universal Resource Identifiers (URIs) given an E.164 number.” This definition is documented in the SGA ENUM Ad Hoc Report dated July 6, 2001. These model procedures incorporate certain fundamental principles that are important to the decision-making and operations of any industry committee (e.g., consensus decision-making, open, an accurate meeting record, an appeals process, and avoidance of any anti-competitive conduct, etc.). It is intended that the Members in the forum will review and approve these procedures. The level of detail provided herein is designed to allow the work to begin quickly and proceed efficiently and effectively.

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1 INTRODUCTION

The July 6, 2001 report developed for the Department of State by ITAC-T, Study Group A Ad Hoc on ENUM, recommended the formation of an open industry forum to continue the work started in the Ad Hoc. This ENUM Forum is the result of that recommendation. The ENUM Forum is established to develop industry standard processes, procedures, and requirements to implement both public and private instances of an ENUM Domain Name structure for ITU Recommendation E.164 numbers that reside within the U.S. and potentially other countries of the North American Numbering Plan.

2 MISSION, SCOPE & RESPONSIBILITIES

2.1 Mission

The primary mission of the ENUM Forum is to develop the implementation framework for deploying RFC 2916 in a two-tiered DNS structure rooted under “e164.arpa” for E.164 numbers within the United States and a potential common implementation with other countries served by the North American Numbering Plan (NANP).

2.2 Scope

Develop Tier 1 and Tier 2 requirements documents that will include the architecture for the Tier 1 and Tier 2 name servers with detailed functional descriptions and message flows between the entities including Tier 1 providers, Tier 2 providers, registrars, telephone & application service providers, and end users. The work will also include discussing and exploring methodologies for interworking with other ENUM instantiations. Other work items may be incorporated into the scope of the ENUM Forum based on written proposals that are accepted by the Forum Members.

3 ANTITRUST COMPLIANCE

It is the policy of the ENUM Forum to maintain strict compliance with the letter and the substance of the U.S. antitrust laws. The ENUM Forum does not authorize or condone any activities that may raise even an appearance of antitrust exposure for individuals participating in ENUM Forum meetings or their companies, and recognizes that agreements among competitors restraining competition and the exchange of proprietary or competitively sensitive data among competing companies are in many instances unlawful and -should therefore be strictly avoided.

To ensure adherence to antitrust requirements in the context of ENUM Forum activities, meetings will be conducted in accordance with the posted agenda, and meeting records of each meeting will be prepared and posted to the ENUM Forum Web Site. -The Legal Expert Group, as defined in section 5.5, will discuss ENUM Forum activities, review agendas, and appropriate limits of activities with the ENUM Forum Chair and/or attendees as appropriate.

For specifics on the ENUM Forum's Antitrust policy, please refer to Annex A.

4 MEMBERSHIP

Membership in the ENUM Forum is open to any organization, company, or entity having an interest in the activities of the ENUM Forum. Membership becomes effective when a prospective Member agrees to and submits in writing, to the Chair, a completed ENUM Membership Application that states their organization, company or entity will follow the principles and procedures contained in this document. Upon submission of the ENUM Membership Application the organization, company, or entity is subject to a 30-day wait period before becoming full ENUM Forum Members. During this 30-day wait period any organization, company, or entity may still attend all ENUM Forum (general forum), Task Group, or Legal Experts Group meetings, but cannot participate in the consensus decisions or voting to resolve issues. The 30-day wait period does not apply to Founding Members who can fully participate in the ENUM Forum, Task Groups and Legal Experts decision-making process.

Founding Members will be any organization, company, or entity that has participated in any of the ENUM Forum development work from the July 30, 2001 organizational meeting, through the Aug 27th - 28th, 2001 kickoff meeting. All Founding Members will be required to submit in writing their ENUM Membership Application and agree to the principles and procedures contained in this document prior to the completion of the Aug 28th, 2001 kick off meeting. Companies and government representatives that do not want to join the ENUM Forum may elect to be "interested parties." Interested parties cannot participate in consensus decisions, but may attend ENUM Forum and Task Group meetings, participate in discussions and receive all routinely distributed information.

ENUM Forum Application Forms will be available on the ENUM Forum Web Site for all organizations, companies, or entities wishing to be either Members or Interested Parties. Completed ENUM Forum Application Forms shall be faxed or e-mailed to the Chair.

5 ORGANIZATION

5.1 Leadership

The leadership of the ENUM Forum shall consist of a Chair and Vice Chair. In general, the Chair shall preside at the ENUM Forum meetings and facilitate adherence to the ENUM Forum Principles and Procedures. The Vice Chair will assume the duties of the Chair in the Chair's absence. The Chair and Vice Chair should not influence the disposition of issues and events, in their official capacities, or in any way use their positions to do anything other than facilitate the ENUM Forum process. For purposes of transition, the leadership of the existing Study Group A Ad Hoc on ENUM shall remain in place until such time as the ENUM Forum Membership reaches consensus to conduct an election and/or the leadership resigns.

5.2 Leadership Selection Process

Notice of an election for a Chair or Vice Chair shall be given via the ENUM Forum email exploder lists. Nominations shall be accepted from any Member, and the nomination must be accompanied by: (1) a resume or other document detailing the nominee's applicable experience, and (2) a letter of support from the nominee's employer. The ballot shall be conducted in secret, with the ballots tallied and the winner(s) announced by persons agreed upon by the Members present. The Chair and Vice Chair shall be elected by a simple majority of the Members present, excluding abstentions. Written proxies from Members provided in advance to the Chair or Vice Chair will be accepted. In the event that a runoff ballot is required in order to obtain a majority, proxy votes supporting an eliminated candidate will be counted as an abstention.

5.3 Leadership Term

The Chair and Vice Chair shall serve a one-year term. There are no limits on the number of terms leadership can serve.

5.4 Task Groups

The ENUM Forum may create Task Groups as required to accomplish a defined objective or a specialized focus. All ENUM Forum Members can participate in any Task Group. The ENUM Forum shall establish the Task Groups in accordance with the ENUM Forum Work Plan and will elect Task Group Chairs prior to the start of Task Group activities. The ENUM Forum Members shall approve the work product of any Task Group. The Task Group Chair shall provide status reports at each ENUM Forum meeting, or as otherwise requested by the ENUM Forum. The Task Group report shall include, at a minimum, a

summary of activities since the last report, any applicable deliverable status and any agreements reached as recommendations to the ENUM Forum.

5.5 Legal Experts Group

The Legal Experts Group will consist of attorneys who volunteer from Member organization. The Legal Experts Group will consist of a minimum of three attorneys from three different Member organizations. Member organization attorneys can join the Legal Experts Group at any time and will have full participation rights in accordance with their member organization status. The Legal Experts Group will appoint its Chair, provide advice on policy and other business related matters, manage the antitrust compliance program, and report back to the ENUM Forum on any appropriate legal issue. A minimum of three attorneys from three different Member organizations is required at any Legal Experts Group Meeting where advice is developed for the ENUM Forum. Current membership, along with appropriate contact information of the Legal Experts Group, provided by the Legal Experts chair, will be posted on the ENUM Forum Web Site.

5.6 Management Team

The ENUM Forum Management Team consists of the Chair, Vice-Chair, Task Group Leaders, and Group Leaders. Any member of the ENUM Forum management team can convene a management team meeting. The purpose of these meetings will be to address the administration and operation of the ENUM Forum. Minutes of these meetings will be posted as a GEN contribution to the ENUM Forum Web Site within 5 business days after the meeting. The ENUM Forum Management team will not make any policy or technical decisions on behalf of the ENUM Forum. The ENUM Forum management team should follow the meeting notification and agenda guidelines.

6 MEETINGS

Meetings of the ENUM Forum and its Task Groups may be face-to-face, via conference call, or via virtual meeting technologies. Activities will be conducted to the degree possible using Web and audio conferencing tools. For face-to-face meetings a volunteer will be solicited to provide a conference bridge for all interested parties.

6.1 Meeting Schedule

The ENUM Forum and its Task Groups shall establish a meeting schedule based upon need. Once determined by consensus, the meeting schedule shall be posted to the ENUM Forum Web Site and respective email exploder lists.

6.2 Quorum Requirements

There is no quorum requirement for regularly scheduled meetings (see below for Special Meeting quorum requirements). However, actions taken or decisions made at a meeting where fewer than 50% of the Forum's Members are present (in person or electronically) are subject to review and approval at the next meeting attended by at least 50% of the Members.

For special and/or emergency meetings, 51 percent of the membership must be in attendance (in person or electronically) for official business of the ENUM Forum to be conducted.

For all Task meetings there are no quorum requirements necessary to conduct business, but any output of the task groups is subject to the review and approval of the entire ENUM Forum

6.3 Meeting Notification and Agenda

A meeting notification and draft agenda shall be posted to the ENUM Forum Web Site and sent out via the ENUM Forum mail exploder list at least 28 days in advance of all face-to-face meetings and at least 14 days prior to conference call/virtual meetings. Maximum available notification intervals shall be provided. A preliminary agenda for the next meeting will be agreed upon at the end of each meeting.

6.4 Special/Emergency Meetings

Special or Emergency meetings may be called by the Chair, Vice Chair or by the written request of at least ten percent of the Members of the ENUM Forum. Notification of a Special or Emergency meeting shall be given at least three full business days prior to a conference call or virtual meeting. Face-to-face special or emergency meetings are discouraged and notice shall be given at least seven full business days prior to the start of the meeting. The purpose of a special/emergency meeting shall be specifically stated in the meeting notification. It is anticipated that Special or Emergency meetings would only be held when exceptional circumstances exist requiring immediate industry action.

6.5 Meeting Contributions

Contributions for discussion and consideration at a given ENUM Forum meeting should normally be submitted to the ENUM Forum contributions mailbox at least two business days prior to the start of the meeting. Appropriate email exploder lists shall serve as the announcement mechanism for incoming contributions. Contributions submitted less than two business days prior to a meeting may be discussed, on an exception basis, if consensus to do so is reached. All Meeting contributions must be submitted in electronic format and will be posted on the

ENUM Forum Web Site prior to appropriate meetings. A contribution-numbering scheme will be used to uniquely identify each submitted contribution.

6.6 ENUM Forum Meeting Notes

Meeting notes shall be taken for all ENUM Forum meetings. The meeting notes shall serve as the official record. The meeting notes shall include, at a minimum, an agenda as amended and approved at the meeting; a register of attendees; and requested points noted, agreements reached, listing of contributions, and action items for each agenda item. The meeting notes shall be taken by a participant, accepted at the meeting by the Members in attendance, then published on the ENUM Forum Web Site within five business days from the close of the meeting, and subject to final approval at the following meeting.

6.7 Task Group Meetings

Task Groups are encouraged to conduct business via the email exploder lists and through conference calls and virtual meetings. Task Group meetings are subject to the notification requirements as defined in the "Meeting Notification and Agenda" Section. The Task Group Chair shall maintain a record of the Task Group's agendas, participants, agreements reached, and progress on Work Plan. The Task Group Chair, with the approval of the Task Group, may appoint Task Group document editors. The task group chair will post, to the appropriate ENUM Forum Email Exploder list, minutes of any agreements reached, status of relevant work items, and action items within 5 business days of a meeting.

7 CONSENSUS AND DECISION MAKING PROCESS

7.1 Decision-Making Process During Meetings

The ENUM Forum and its Task Groups shall operate by consensus. Consensus is established when the Members present for consideration of the subject at hand have reached substantial agreement. An active Member may request a vote on any consensus issue at any time. For all decisions, other than approval of ENUM Forum Work Products, that require a vote, only a two-thirds majority of the active members voting, excluding abstentions is required to decide the issue at hand. The two-thirds requirement does not apply to the selection of leadership as defined in Section 5.2. Each Member (i.e., company, entity or organization) has one vote.

An active ENUM Forum member is defined as an ENUM FORUM Member that has:

1. participated in two of the last three full ENUM Forum meetings electronically or otherwise, and

2. has not missed three sequential ENUM Forum letter ballots

Only attendance at the General session counts towards the determination of the attendance portion for voting eligibility within the ENUM Forum. The ENUM Chair or designate shall be responsible for taking the roll at each meeting ensuring the list of active members is posted and up to date on the ENUM Forum Web Site.

The Chair or Vice-Chair will notify any ENUM Forum Member that has missed two sequential ENUM Forum letter ballots that their active membership is in jeopardy.

Consensus requires that all views and objections be considered, and that a concerted effort be made towards reaching a full agreement on the resolution of the issue at hand. If requested, minority opinions will be included along with the output of majority consensus.

7.2 Electronic Voting Procedure

For approval of ENUM Forum Work products, a simple majority of the active membership is required to vote via electronic letter ballot. In addition, of those active members voting, a two-thirds majority, excluding abstentions, is required for approval of the ENUM Forum work products.

The electronic voting procedure shall be used to approve any document of the ENUM Forum that is submitted by a Task Group. Each active Member of the ENUM Forum must notify the Chair and Vice-Chair as to the identity of the person (including email address) designated to cast a ballot for that Member. Such designation will take place at any general session meeting at which a document is submitted for approval by the Forum. The Chair shall be responsible for posting a notice to the General Mailing list that a document(s) has (have) been submitted for approval. Active Members not in attendance at such meetings must notify the Chair and Vice-Chair of their designation by email within five (5) calendar days of the general session.

Each Member has fifteen (15) calendar days following the announcement by the Chair to the General Mailing list of the ENUM Forum to submit their ballot by email to both the Chair and Vice-Chair. Each ballot may specify that:

- a) The Member approves the document.
- b) The Member approves the document with comments.
- c) The Member does not approve the document. Such ballot must contain comments and suggested modifications, if any, to the document that, if adopted by the Task Group, will result in the ballot being changed to an approval.

d) The Member abstains.

All comments will be considered before the document is published. The source Task Group will convene a session to review ballot comments if there are any. If the Task Group makes substantive (non-editorial) changes to the document as a result of the comment consideration, the revised document will be sent out to the Members for another ballot. Only those members who wish to change their vote or comments need to respond.

8 ADMINISTRATIVE SUPPORT

The ENUM Forum Members shall provide all support functions needed by the Membership. These functions shall include providing or arranging for meeting space, conference bridges and virtual meeting facilities; recording, publishing, and distributing ENUM Forum meeting records; establishing and maintaining the ENUM Forum Web Site and email exploder lists; providing notification of all meetings, conference calls, and virtual meetings; publishing and distributing agendas, and other such duties as the ENUM Forum Members deem appropriate.

9 INTELLECTUAL PROPERTY

In all matters of intellectual property rights, it is the intention of the ENUM Forum to benefit the public, while respecting the legitimate rights of intellectual property owners. For specifics on the ENUM Forum's Intellectual Property policy, please refer to Annex B.

10 APPEALS PROCESS

Any ENUM Forum Member or interested party that believes it has been or will be adversely affected by a procedural act or failure to act by the ENUM Forum shall have the right to appeal such procedural action or inaction. Parties are encouraged to discuss procedural concerns with the ENUM Forum Chair and Vice Chair first. If a satisfactory result is not achieved, the complaining party may submit a written appeal to the Chair with a copy to the ENUM Forum email exploder list.

The ENUM Forum Chair shall issue a written response within 30 calendar days of the receipt of the appeal. The Chair's response may recommend further review by the full ENUM Forum Membership. All unresolved issues maybe referred to the ENUM forum. This procedure does not preclude the complainant from addressing their concern directly with the ENUM Forum at any time or from pursuing other recourses. Should the complaining party submitting the original written appeal not be satisfied with the Chair's or the Forum's response, it

reserves its right to maintain its procedural objection on the record and pursue other recourse as appropriate.

11 WEB SITE & EMAIL EXPLODER LISTS

All ENUM Forum documentation and information shall be distributed electronically via the ENUM Forum Web Site and the email exploder lists. The contents of the ENUM Forum Web Site and email exploder list archives shall be open for viewing by all parties.

11.1 ENUM Forum Web Site

<http://enumf.net> is the ENUM Forum Web Site address. The ENUM Forum Web Site contains all ENUM Forum meeting materials (e.g., meeting agenda, contributions, meeting notes, draft documents, and calendar).

11.2 Posting of Contributions

Members and other registered users shall have the ability to send email contributions sent to “ admin@enumf.net ” for ENUM Forum Web Site posting within one business day. All contributions submitted will not be modified, withheld, censored, or altered in any way by the ENUM Forum Web Site administration. The Webmaster will notify the email exploder list of all contributions once they are posted to the ENUM Forum Web Site.

11.3 Email Exploder Lists

The following exploder lists have been established to facilitate the work of the ENUM Forum. Each exploder list, its purpose and any related restrictions are provided below. All e-mail sent to the exploder list shall be archived for historical purposes.

Note that this was the set of lists existing at the time this document was agreed. The current set of active lists may be found on the ENUM Forum Web Site.

List Name	Purpose	Restrictions
enumf-gen	General Use	Only Subscribers may post messages.
enumf-arc	Architectural & Infrastructure Task Group	Determined by the Task Group
enumf-pro	Provisioning Task Group	Determined by the Task Group
enumf-app	ENUM Applications Task Group	Determined by the Task Group
enumf-sec	Security & Privacy Task Group	Determined by the Task Group
enumf-int	Interoperability Task Group	Determined by the Task Group

enumf-leg	Legal Experts Group	Determined by Legal Experts Group
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11.4 Subscribing to an Email Exploder List

All ENUM Forum Email exploder lists, as identified in section 11.3, are open to Members and Interested Parties at anytime. Each ENUM Forum exploder list will require each individual to subscribe to each list separately. In order to prevent & minimize spamming, the ENUM Forum will provide a two-step process to subscribe to each list separately that follows the fundamental flow:

1. A User subscribes to an ENUM Forum list
2. List server responds to the address the subscription was generated from with a confirmation request
3. The User replies to the confirmation request with the appropriate confirmation back to the list server
4. The subscriber's address is added to the list and will now receive mailers from the list and be able to post messages.

11.5 Sending a Message to an Email Exploder List

Once a user is subscribed to the mailing list the user merely will address each email that he/she wishes to post to the ENUM Forum Email exploder list to "<list name>@enumf.net". The list name is as identified in section 11.3 for each exploder list.

The Legal Experts group will develop an Acceptable Usage Policy (AUP) for all ENUM Forum Web Site content and E-mail exploder list usage. Violators of the AUP are subject to removal from the ENUM Email exploder list(s) as determined by the ENUM Forum Chair, in concurrence with the Vice Chair.

12 EXTERNAL COMMUNICATIONS

Inquiries relating to the ENUM Forum should be directed to the Chair, and members should so inform individuals who raise such inquiries. The Chair or a Member designated by the Chair shall reply to all inquiries.

Official reporting of the activities of the ENUM Forum and its Task Groups including any correspondence to any external group e.g. the news media (trade and news press), government agencies, or other industry groups will normally be done by the Chair, and will be approved by Forum consensus before release. Other members may perform liaison functions with approval of the Forum membership.

Members of the ENUM forum reserve the right to comment publicly on matters of the Forum. Companies may not make statements on behalf of the Forum

13 PARLIAMENTARY AUTHORITY

These procedures are intended to meet the requirements of due process and development of consensus. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern in all cases in which they are applicable and in which they are not inconsistent with these Principles and Procedures or in any special rules of order that the ENUM Forum may adopt.

14 PRINCIPLES & PROCEDURES REVISIONS

The ENUM Forum maintains these Principles and Procedures. Proposed revisions to these Principles and Procedures shall be submitted in writing to the ENUM Forum leadership along with rationale supporting the requested change. The ENUM Forum leadership shall present the proposed revisions to the ENUM Forum Members for review, consideration and ultimate decision. Any approved revisions to these Principles and Procedures will be effective upon publication on the ENUM Forum Web Site.

Annex A - ENUM Forum Antitrust Guidelines

The ENUM Forum, established to develop industry standard processes, procedures and requirements to implement both public and private instances of an ENUM Domain Name structure for ITU Recommendation E.164 numbers that reside within the U.S. and potentially other countries of the North American Numbering Plan (hereinafter “ENUM specifications”), is open to all parties to participate in its work on a non-discriminatory and reasonable basis and is to be administered on that basis. The ENUM Forum is intended to comply with all relevant antitrust laws in its work. Accordingly, the ENUM Forum prohibits discussions, activities or agreements or understandings on any topic, which could violate any national or international law regarding competition or trade. In view of the foregoing and its commitment to adherence to applicable antitrust laws, the following guidelines are established for the ENUM Forum, its members and non-governmental interested parties as participants in the work of the ENUM Forum. All members and non-governmental interested parties participating in the activities of the ENUM Forum agree to abide by these guidelines.

1. Neither the ENUM Forum nor any of its activities shall be used for the purpose of bringing about or attempting to bring about any understanding or agreement, written or oral, formal or informal, express or implied, among and between competitors with regard to prices, terms or conditions of sale, distribution, volume of production, territories, customers, credit terms or marketing practices.
2. There shall be no discussion, communication or other exchange between members or non-governmental interested parties of the ENUM Forum and/or their representatives of prices, pricing methods, production quotas or other limitations on either the timing, costs or volume of production or sale, or allocation of territories or customers.
3. The ENUM Forum may discuss specific technical issues reasonably related regarding to ENUM-related specifications. In so doing, the ENUM Forum may discuss technical issues that relate to specific potential products that might be offered in conjunction with an ENUM-related specification, but shall not discuss the products or product development plans of any member.
4. No activity or communication of the ENUM Forum or of any of its members, or non-governmental interested parties or representatives shall include any discussion or other action which might be construed as an agreement or understanding to refrain, or to encourage a member to refrain, from purchasing any raw materials, equipment, services or other supplies from any supplier or from dealing with any supplier.
5. No activity or communication of the ENUM Forum or of any of its members, non-governmental interested parties or representatives shall include any discussion or other action which might be construed as an attempt to prevent any person or business entity from gaining access to any market or customer for goods and services, or to

prevent any business entity from obtaining a supply of goods or services or otherwise purchasing goods or services freely in the market.

6. The qualifications for membership in the ENUM Forum are set forth in the ENUM Forum Statement of Principles and Procedures. No applicant for membership, who otherwise meets the qualifications set forth therein, shall be rejected for any anti-competitive purpose or for the purpose of denying such applicant the benefits of membership.
7. The ENUM Forum is part of an industry process for the development of voluntary ENUM-related specifications. Neither the ENUM Forum, nor any member or subgroup thereof shall agree to standardize any product or service for the purpose or with the effect of preventing the manufacture, sale or supply of any product or services not conforming to a specified standard, it being the express policy of the ENUM Forum that neither the Forum nor any member or subgroup thereof shall coerce any member or non-member into accepting or complying with any standard either adopted, recognized or approved by the ENUM Forum.
8. To the extent that the ENUM Forum develops or approves voluntary ENUM-related specifications which, if followed, will permit specific equipment and service to interoperate with any other equipment, service or network, adherence to such specifications shall be voluntary on the part of a member of the ENUM Forum and shall in no way be compelled, directed or coerced by the ENUM Forum or any committee or group of members thereof, it being solely a voluntary decision on the part of the particular member or members of the ENUM Forum as to whether to adhere to or comply with any such proposed generic requirements.
9. Any ENUM-related specifications which may be developed or approved by the membership of the ENUM Forum in order to effectuate the purposes of the ENUM Forum as set forth in the applicable Statement of Principles and Procedures shall be based solely and exclusively upon technical considerations and upon the merits of objective expert judgments and shall in no way be based upon any effort, intention or purpose of any of its members to reduce or eliminate competition in the sale, supply and furnishing of products and services.
10. Neither the ENUM Forum nor any activity thereof shall impose sanctions for the violation of, nor shall they enforce compliance with, ENUM-related specifications developed, promulgated, recognized or approved by the ENUM Forum.
11. In conducting any meetings, the Chair of each such meeting shall prepare and issue a formal agenda prior to the meeting. The Chair shall follow the formal agenda and rules set forth in the Statement of Principles and Procedures.
12. All information, materials or reports of the ENUM Forum shall be made publicly available on such terms and conditions as set forth in the Statement of Principles and Procedures.

13. Each ENUM Forum member will conform to Intellectual Property policies of the ENUM Forum in effect while the ENUM Forum is in being.
14. The ENUM Forum Chair shall supply each member of the ENUM Forum a copy of these Guidelines following the normal procedures of the Forum, and each member agrees with the other members of the ENUM Forum to abide by these Guidelines as a condition of its membership and participation in the activities of the ENUM Forum.

Annex B - ENUM Forum Intellectual Property Rights Policy

1.0 General Policy Statement

In all matters of intellectual property rights, it is the intention of the ENUM Forum to benefit the public, while respecting the legitimate rights of intellectual property owners.

2.0 Confidentiality

The ENUM Forum will not consider any contribution that is subject to any requirement of confidentiality or to any restriction on its dissemination and the ENUM Forum assumes no, and expressly disclaims all, obligations of confidentiality with respect to any contribution or other submission to the Forum.

3.0 Patents

3.1 Patent Policy

The ENUM Forum does not object, in principle, to adopting a proposed recommendation or standard whose implementation may require the practice of any patented invention, if technical reasons justify this approach and the patent holder had declared its willingness to license the relevant patent(s) in accordance with 3.3 below. However, the ENUM Forum shall not be responsible for identifying the existence of, nor for evaluating the applicability of any patents related to a recommendation or standard, and will take no position on the validity, enforceability, or scope of any patents that are brought to its attention.

3.2 Disclosure Obligations

Any ENUM Forum Member or non-governmental Interested Party aware of a patent or published patent application, either its own or others, which may be essential for the implementation of a proposed recommendation or standard shall disclose such information to the Forum as soon as reasonably possible, and in no case later than the date scheduled for approval of the relevant recommendation or standard.

3.3 Patent Statement & Licensing Declaration

To implement the disclosure obligations established in 3.2 above, when a Member or non-governmental Interested Party holds an issued patent or published patent application, the use of which would be required to implement all or part of an approved or a proposed recommendation or standard, the Member or non-governmental Interested Party shall submit a Patent Statement & Licensing

Declaration, in which such Member or non-governmental Interested Party identifies the issued or proposed recommendation or standard, the issued patent(s) and published patent application(s), and declares which of the following options will apply:

- (a) The patent holder is prepared to grant a royalty-free license to an unrestricted number of applicants on a worldwide, non-discriminatory basis to make, have made, use, sell and/or offer to sell implementations of the recommendation or standard; or
- (b) The patent holder is prepared to grant a license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and on reasonable terms and conditions to make, have made, use, sell and/or offer to sell implementations of the recommendation or standard; or
- (c) The patent holder is unwilling to grant licenses. In this case, the following information must be provided as part of this declaration:
 - 1. patent number/patent application number
 - 2. an indication of which portion(s) of the ENUM recommendation or standard are affected
 - 3. a description of the patent claims covering the ENUM recommendation or standard

In the event option (c) is declared, the ENUM Forum may review the proposed recommendation or standard, giving consideration to its possible revision to eliminate the use of the technology that is the subject of the patent or patent application.

3.4 Reservation of Certain Patent Rights

If another party has an issued patent or published patent application that is essential for the implementation of the same recommendation or standard, and that party is not willing to reciprocally license same to the patent holder, then notwithstanding (a) and (b) of 3.3 above, the patent holder is under no obligation to grant a license to said party.

3.5 Notice

The Forum shall include a notice as follows with the applicable recommendation or standard:

“As of the date of approval of this [recommendation/standard], the ENUM Forum [had/had not] been notified by a patent holder that compliance with

or implementation of this recommendation or standard may possibly require the use of an invention protected by patent rights. The Forum takes no position with respect to the scope, validity, or enforceability of any patent rights claimed in connection with this recommendation or standard, nor has it made any effort to identify any such rights. However, implementers are cautioned that this may not represent the latest information and are therefore strongly urged to consult the ENUM Forum Web Site.

3.6 Record of Statements

A record of every Patent Statement & Licensing Declaration shall be placed and maintained in the permanent files of the ENUM Forum and a listing of all Declarations shall appear on the ENUM Forum Web Site.

4.0 Copyrights

4.1 Policy

In order that the ENUM Forum may benefit the public by promoting and disseminating the work of the Forum to as wide an audience as possible it is necessary that each contributor grants the Forum the rights necessary to adapt, copy, and publicly distribute any contribution or submittal made to the Forum. In accordance with this policy, each contribution or document submitted to the Forum is done so pursuant to the license set forth in Section 4.2.

4.2 License

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Annex C - Implementation of the ENUM Forum Attendance Policy For Voting Eligibility

The Attendance Policy commences with either the general session meeting of the ENUM Forum on August 27-28, 2001 or the first general session meeting of the ENUM Forum after an application for Membership has been submitted.

A member is always eligible to vote after the 30-day waiting period and until such time that the Member's lack of attendance at general sessions makes them ineligible. A Member becomes ineligible to vote beginning with the general session meeting of their second absence within the last three (including the current) meetings. A member reactivates their eligibility beginning with the general session where they have attended two of the last three (including the current) meetings.

The Vice-chair shall take attendance at each general session following the approval of the agenda. Members who attend the general session electronically must verbally announce themselves upon joining the meeting.

Eligible and ineligible Members will be announced at the beginning of the general session of the ENUM Forum following the taking of attendance. The ENUM Forum Web Site will maintain a list of currently eligible and ineligible Members.

If a member is absent when a vote is cast, the member loses their opportunity to vote on that issue.