



Frequently Asked Questions – NMRA Document TR-3-2020

Q1. The DCC Working Group has existed since 1993. Why is there a requirement to sign the attachments in this document now in 2021?

Answer: Modernization of practices. In 2020, the NMRA Board of Directors determined, based on examining practices of other nonprofit corporations, that its policies concerning freedom from intellectual property claims and freedom of action needed updating. After obtaining qualified legal advice, the Board adopted policy changes calling for better risk control in the future.

Q2. Which attachments am I required to sign?

Answer: All participants in Working Groups are required to sign and return Attachment A and either Attachment B (for independent individuals) or Attachment G (for representatives of organizations such as manufacturers). If you are contributing documentation that is not software, or hardware designs such as schematic diagrams, then Attachment C is required at the time of a contribution. If you are contributing software, then as the author and owner of copyright in your original works that are subject to these attachments, you may choose the license model that you prefer among Attachment D and Attachment E and provide it at the time of a contribution. Participants in Conformance Testing subgroups are required to sign Attachment F.

Q3. Can you tailor a license to meet my needs and/or the needs of the company I work for?

Answer: For individuals, to ensure a consistent approach and simplify administration, NMRA does not modify the attachments. For corporations or other institutional contributors, modifications may be possible depending on the company and circumstances; please complete Attachment G and include requests when it is submitted. Processing agreements and legal revisions both are handled by volunteers, so please consider minimizing changes that require added volunteer time.

Q4. I am not a US citizen and do not live in the US. Am I required to sign any of the Attachments and why?

Answer: Yes. NMRA's policy is a worldwide policy. Individuals anywhere in the world can assert IP claims against NMRA or impose constraints on its freedom of action, both of which this policy addresses.

Q5. Rail Community has no requirement like this to be a member of that organization. Why do I have to sign the NMRA documents?

Answer: NMRA's policy on freedom from claims and freedom of action may be different than those of other organizations. Other organizations are free to accept more risk if they wish. The legal environment in the US is different than in Europe.

Q6. When I sign the license attachment, does it cover all my work in the NMRA going back to when I joined the NMRA?

Answer: No. NMRA's policy is forward-looking and not retroactive. The Contributor License Agreement grants a license in contributions that are made to NMRA after its effective date.

Q7. Do I get to decide which of the Attachments C, D, or E that I want to use for software, hardware or documentation submissions to the NMRA?

Answer: If you are contributing software, then as the author and owner of copyright in your original works that are subject to these attachments, you may choose the license model that you prefer among Attachment D and Attachment E. If you are contributing documentation that is not software, or hardware designs such as schematic diagrams, then Attachment C is required.

Q8. Why does the NMRA need to know what dealings I have with manufacturer?

Answer: To develop standards, recommended practices, and other policy or communications that best serve the interests of modelers and the hobby, NMRA needs to know whether members who participate in these efforts have interests outside the NMRA that could influence the content of their contributions. In some cases, serving these interests could lead a contributor to influence NMRA's standards activities to benefit the contributor's organization; depending on the circumstances, this may be positive, neutral, or negative. Complete transparency concerning outside model railroading affiliations is the only way for NMRA to judge whether standards activities are being pursued subject to such interests.

Q9. Do I have to list companies that have nothing to do with model railroading on Attachment A?

Answer: No.