

CHAPTER 28

UK MET. OFFICE POLICY ON EXCHANGE/RELEASE/OF IP AND/OR PRODUCTS TO OR WITH OTHER NATIONAL METEOROLOGICAL SERVICES

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UK MET. OFFICE POLICY ON EXCHANGE/RELEASE/OF IP AND/OR PRODUCTS TO OR WITH OTHER NATIONAL METEOROLOGICAL SERVICES

28.1 Introduction

28.1.1 This document sets out our policy concerning the exchange with and/or release of software (and other IP, including numerical models) and other forms of operational output to other National Meteorological Services (NMSs), including guidance on the cases where charges may or may not be relevant. It is intended primarily for internal guidance but may also be provided to staff at other NMSs who wish or need to know our policy on this matter.

28.2 General Principles

28.2.1 The Met. Office remains committed to the concept of free exchange and release of products and IP, for the mutual benefit of NMSs and meteorology; but recognizes that the process needs to be controlled. This exchange is an essential component in the continuing development and success of the meteorological community and it should be recognized as such. However, many WMO Members, including ourselves, have budgetary pressures which mean that care must be exercised to ensure that the release and/or exchange is consistent with our international and commercial policies and is affordable within our resource limits. The basic policy is for exchange or release to be generally free and that commercial charges will in general only apply where the transfer/release:

- contains a significant UK IP component, and
- where there is no broad reciprocal arrangement, and
- gives an actual or potential commercial gain to the recipient NMS.

Though similar in coverage; this document covers separately the two cases of:

- exchange/release of models and software,
- exchange/release of (model) products and other IP items.

28.3 Policy on release/exchange of software, including full model software

28.3.1 *Scientific (or non-commercial) Software* (see Annex A for fuller differentiation of commercial and non-commercial software).

It is recognized that almost all major international meteorological centres benefit from the exchange of segments of scientific software, including complete models, and at the model level, software is rarely the unique product of one NMS alone. The current moves towards mutual support within Europe, and internationally, will give an even greater emphasis to these exchanges. It is our belief that such software should be exchanged without charge for the software; but that any tailoring or support would normally attract a charge to cover the necessary staff and resource efforts involved. Such charges would be based on the current appropriate commercial rates. Whether or not a charge is raised, the release will be covered by an agreement which precludes further release by the recipient NMS without further agreement by UKMO.

28.3.2 *Commercial software, including specialized application software* (Again see Annex A for a fuller differentiation between commercial and non-commercial software).

Here the position is quite clear. The norm will be to raise a charge for the software, as well as the charges for processing the requirement, and any changes necessary. Where a Business Area fully funds a development of a specialized output (e.g. for Defence or for the CAA) it is for that Business Area to specify the conditions for release, and it will also, normally, be that Area which handles any requests for such IP. Where the requirement is outside such a specific remit, exchanges or releases should be arranged through, or authorized by, METSTAR, who will apply full commercial rates.

28.3.3 *Arrangements* Authorization for the release of full model software to an NMS is the responsibility of Hd(CF); that of scientific (non-commercial) software with appropriate Directors. For those exchanges/releases involving commercial consideration, commercial support can be provided through the Head of Marketing; who is also responsible for setting the basic levels of charges covering the support and processing activities.

Hd(CF) should work to try to ensure that ECMWF operates on a similar basis with respect to the release of its software and model outputs, so that all members, and those contributing software components, may benefit from subsequent release.

28.4 Policy on the release of (model) products and other IP items to NMSs

28.4.1 Our general policy is to make as many 'Core' products and UK data available as possible for use by other NMSs. Where selection is necessary, perhaps because of limited resources, preference will be given to those products which feature (or are likely to feature) as 'Tier 1' output (compared to 'Tier 2').

Release of any products and data must have prior and full agreement on conditions of use, in line with those being considered by WMO, especially where these refer to Tier 2 products and data. Wherever possible, costs to cover the additional staff effort and computer/communication costs should be raised. However, overall resources are limited, and the total committed to these releases should be identified, quantified, and included in the annual Corporate Plans, forming part of the wider Corporate International strategy.

28.4.2 *Arrangements* D(CF) is responsible for the co-ordination of the release of (model) products and data to NMSs, and ensuring that the net resources utilized (staff, computer, telecommunications, etc.) remain within agreed budgets.

However, where a recipient NMS wishes to utilize/release products or data for third-party use, outside their own territorial area, the responsibility for such approval lies with the Head of Marketing.

28.5 Review

28.5.1 This policy will be reviewed after 12 months to assess its effectiveness, taking into account comments received from other NMSs.

Definition of commercial and non-commercial software

It is proposed that Met. Office software be designated as either commercial or non-commercial and that a statement to that effect be placed in the header of each subroutine, or in the case of pre-compiled packages, on the start-up screen. The focus is in relation to use by other National Met. Services (NMSs).

The responsibility for deciding on the designation of software packages is delegated to Directors. The following statements should be taken as guidelines rather than definitive rules. They are designed to inform the process, and help produce standardization across the Office. It is realized that there will be special cases which will need to be considered on their merit.

Commercial

This software will originate primarily from non-research areas and will be aimed at adding value to basic observational forecast or other processed data.

Factors that determine if a software package can be designated as commercial are:

- The software is solely Met. Office in origin or has been developed in collaboration with a commercial partner.
- A proven market exists or can be created.

Examples: OpenRoad, MIST.

Non-commercial

This software will typically be scientifically based and originate primarily from the research Divisions. The equations and procedures used therein will have been presented in open scientific forums and have appeared in international journals.

The main factors which will determine if a package should be designated as non-commercial are:

- The software is already designated as public domain.
- The software contains significant components which are non-Met. Office in origin and whose intellectual property rights are owned by a non-commercial third party.
- The Met. Office will gain significant intellectual benefit or international prestige from this software being adopted by other NMSs and this is within the priority areas listed in the Met. Office International Strategy document.
- There is no market, because public domain packages already exist.

Examples: Unified Model software, multigrid solver.