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NON-CONFIDENTIAL CONSOLIDATED IMPACT ASSESSMENT RESPONSES

R0049 - INTELLECTUAL PROPERTY RIGHTS AND SERVICES DATA MAIN BODY CHANGES

On 04 July 2024 the Code Manager issued an impact assessment to industry to seek feedback on the proposed solution for R0049.

The purpose of this document is to consolidate the responses and for the Code Manager to answer any questions raised within those responses.

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RESPONSE TYPE	NON-CONFIDENTIAL
DATE ISSUED	08/08/2024
RESPONSIBLE COMMITTEE	CHANGE PANEL
LEAD ANALYST	Lydia Bentley

DATE IMPACT ASSESSMENT ISSUED	04/07/2024
RESPONSE DEADLINE	26/07/2024

Question 1:	Do you have any comments on the proposed solution or legal text?	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
Anonymous Distribution Network Operator	Nothing further than our response to Question 2	Thank you.

Question 2:	Do you have any comments specifically on the proposed removal of Clause 13.19?	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
Anonymous Distribution Network Operator	Can REC please set out the reasoning behind the deletion of cl 13.19. Is it because it might sit better in a standalone clause or is it to address other concerns? We already have the comfort that Service Data is specifically carved out of the definition of REC Materials, however, it seems to make sense to retain this clause to clarify ownership of Service Data as between the parties to the REC. Additionally, the clause already contains clarificatory drafting "as between the Parties" to cover off any ultimate ownership discussions outside of the REC.	The Code Manager and the CRS Provider have the following joint response: "In respect of "Services Data" defined in Clause 13.18, there is a risk that seeking to specify ownership of IPR in data or datasets will conflict with ownership of the same IPR under other regulatory or contractual arrangements. There is also a technical question as to whether any IPR actually subsist in the data or dataset at all (a piece of data itself not being an IPR). As such, we propose to delete Clause 13.19 to remove potential ambiguity and confusion over ownership of IPR between numerous industry stakeholders."

Question 3:	What impact to your systems and operational processes do you expect as a result of implementation of the proposed solution?	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
Anonymous Distribution Network Operator	Nothing is anticipated	Thank you.

Question 4:	**If possible, please provide delivery costs that you might incur as a result of system changes needed to accommodate the proposed solution? Where possible, please provide a breakdown of design, build, test and phases, and ongoing operational costs.**	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
Anonymous Distribution Network Operator	We are not anticipating incurring costs	Thank you.

Question 5:	Do you believe there to be any additional consequences or impacts, to implementing this solution that should be considered, that the Code Manager has not already identified or addressed?	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
Anonymous Distribution Network Operator	Please see response to Question 2	Refer to Code Manager response to Q2.

Question 6:	If possible, please confirm what your expected lead time would be to the deliver system changes for this solution?	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
Anonymous Distribution Network Operator	No lead time	Thank you.

Question 7:	Do you have any other comments relating to this Change Proposal?	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
Anonymous Distribution Network Operator	N/A	-