

## SOFTWARE LICENCE TO THE INTEGRATED TOKAMAK MODELLING TASK FORCE

AGREEMENT, effective on the date of the last signature below, made by and between the EFDA Associate..... , ( address here ) (hereinafter called "the Associate"),

and

the European Atomic Energy Community (EURATOM), (hereinafter referred to as "the Community"),

on Integrated Tokamak Modelling Task Force (hereinafter called "the ITM-TF"),

Whereas the ITM- TF is the first large scale collaborative software development project under EFDA and it has the long term aim of developing a validated suite of simulation codes for ITER exploitation;

Whereas the software within the ITM-TF is either original software developed fully within ITM-TF or software contributed by EFDA Associates and adapted to ITM-TF framework;

Whereas the ITM-TF does not have legal personality and neither do the EFDA Leader nor the EFDA Steering Committee and as such they could not be granted or have the right to grant rights;

Whereas the ITM- TF would like to be able to license software that was developed within ITM-TF to ITER International Fusion Energy Organization (hereinafter "ITER Organization"), established by the Agreement on the Establishment of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project<sup>1</sup>, and this software might include/ be based on software developed by the EFDA Associate and contributed to the ITM TF activities,

Whereas as the ITM- TF is a group established under EFDA and the Community has legal personality, the Community should have the rights to be able to use and sub-license to ITER Organization the software that is owned or held by the EFDA Associates in order to be allow to ITM-TF to fulfil its scope,

Therefore the parties agree as follows:

The Associate grants to the Community for ITM-TF a world-wide, royalty-free, non-exclusive, sublicensable licence to do the following, for the duration of copyright vested in the software(s) listed below:

- use the software(s) in the framework of the EFDA Taskforce on Integrated Tokamak Modelling (ITM-TF),
- modify the software, and make derivative works based upon the software(s) through collaborative Tasks within the ITM-TF,

---

<sup>1</sup> OJ 358 of 16.12.2006, p.62.

- distribute the Software or copies thereof on the ITM-TF GATEWAY,
- provided it has received prior written approval by the Associate  
Sub-license to the ITER Organization rights in the Software listed below or copies thereof under the provisions of the EFDA ITM-TF Software License,
- provided it has received prior written approval by the Associate  
Communicate to the public, including the right to make available or display the software(s) or copies thereof to the public,

The ITM-TF will maintain a record of contributions made to the Software(s) through collaborative Tasks within the ITM-TF. All such modifications remain fully available to the contributing Associate provided contributors are acknowledged though the principles stated in the ITM-TF license.

**ITM SOFTWARE REGISTRY ENTRY<sup>2</sup>**

SOFTWARE NAME OR IDENTIFIER: <sup>3</sup>			
NAME(S) OF THE AUTHOR(S):			
NAME OF THE OWNER:			
UNDER WHICH FUNDING WAS THE SOFTWARE DEVELOPED?	External <sup>4</sup>	EFDA <sup>5</sup>	CoA <sup>6</sup>
RESPONSIBLE OFFICER (ITM-TF RO) : <sup>7</sup>			
RECOGNISED CONTRIBUTORS: <sup>8</sup>			
HAS ANY OPEN SOURCE OR FREE SOFTWARE COMPONENTS BEEN USED FOR THE DEVELOPMENT OF THE SOFTWARE?	Yes <sup>9</sup>	No	
ARE THERE ANY LEGAL CONSTRAINTS FOR THE ENVISAGED USE OF THE SOFTWARE? <sup>10</sup>	Yes	No	

<sup>2</sup> The SOFTWARE REGISTRY ENTRY is used to identify the contributed software and to track ITM-TF contributions and contributors to the software building on the contributed version

<sup>3</sup> Including revision number, if available

<sup>4</sup> Please indicate under which kind of funding was developed to ensure that the Associate has the right to put the software in the repository For instance, if the code has been developed in the frame of a contract financed 100% by the Associate, the latter must ensure that the provisions of the contract allow to use the code for the fusion activities.

<sup>5</sup> Please indicate if it was developed under Art. 5.1b of EFDA.

<sup>6</sup> Please indicate if it was developed under Art. 5.1.a of EFDA through the Contract of Association

<sup>7</sup> The Responsible Officer for the software in the ITM-TF, appointed by the Associate

<sup>8</sup> This entry is to provide a more complete background of the software including its history if any.

<sup>9</sup> If yes, please give details under which open source license was developed.

<sup>10</sup> Please indicate here in case the owner has only a license for the exploitation of the software whether he/she could grant the rights provided by this license agreement.

TECHNICAL REFERENCE : <sup>11</sup>	
-------------------------------------	--

SIGNED: \_\_\_\_\_

*On behalf of .....( the Associate)*

DATE: \_\_\_\_\_

SIGNED: \_\_\_\_\_

*On behalf of .....( Euratom*

DATE: \_\_\_\_\_

---

<sup>11</sup> This will be the main reference for the software to be cited in ITM-TF relevant publications using the software.