

Trust Framework System Rules for Personal Data and Individual Identity Services

Participation Agreement

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Document Information: Version 1.06; June 20, 2013; Comments to: daz@media.mit.edu; Authoritative stable release version of the System Rules is published at the MIT Human Dynamics Lab openPDS project site: <http://openpds.media.mit.edu/#rules>; The System Rules project background and news site: <http://ecitizen.mit.edu/modelrules>; The current exploratory drafts and alternative provisions under consideration in the MIT Human Dynamics Lab GitHub Repository: <https://github.com/HumanDynamics/SystemRules>

Preface

This document describes how it is anticipated a System Provider and Third Party Providers will implement the Participation Agreement referenced in the Trust Framework System Rules for Personal Data and Individual Identity.

1. Example Policy on Participation Requirements

The following content illustrates the types of policy and user journey rules the System Provider would apply to Third Party Providers and Principal Participants (Individual Users) that participate in the System in accordance with the System Rules. These would be reflected in the “API and Developer” or “Affiliate Agreement” or similar business contracts that would apply to Third Party Providers and also to the “Terms of Agreement” that the individual participant would agree to. The notion of “Terms of Service” by contrast, relate to the underlying commercial relationship between the business to business and between the business and consumer parties.

The underlying commercial agreement will be idiosyncratic to the specific business model and marketplace position and other context driven factors related to the System Provider and their business. Examples of typical such contracts are included in the appendix (eg for Personal.com, Evernote, Dropbox, Google and others). These rules and agreements, by contrast, provide a standard approach and method for a predictable and interoperable layer supporting identity and personal data services and exchanges between any parties that agree to follow this approach. Literally, these rules apply on top of and augment the existing commercial, jurisdictional or other context and do not conflict with or attempt to replace such context and the associated contracts and business models and other facets of trust and relationship connected with that context.

1.1 Terms of Agreement

The Terms of Agreement applicable to a Third Party Provider must include, minimally, assent to be in contractual direct privity with each Individual Principal Participant that has granted authorization to that Third Party Provider in accordance with the terms applicable to the Scope for each such grant.

The Terms of Agreement applicable to a Principal Participant must include, minimally, assent to include the inclusion of each Third Party Provider to which said User has granted authorization to access their Identity or Data as a party to the Terms of Agreement and that the terms applicable to the Scope for each such grant shall be included in said Agreement.

1.2 Order of Precedence

The System Rules governing Order of Precedence shall otherwise apply to the contractual terms between the Third Party Provider and the System Provider and between the Third Party Provider and the individual Principal Participant.

2. Terms of Authorization

2.1 Functional Application of Terms of Authorization

A “description” field associated with each Approved Scope shall be dynamically inserted in accord with the “Terms of Authorization” such that that content appears to the Principal User in the appropriate section of their Terms of Agreement. The name of the entity and logo, if applicable, of the Third Party Provider shall appear in association with the rights and obligations associated with each Scope of Authorization that the Principal User has granted to such entity as of the time said user clicks on their Terms of Agreement.

2.2 Updating Terms of Authorization

The Approved Scopes and Grant Types must be amended in accordance with the Notice and Core Legal Events requirements of the System Rules whenever a change is made to any legal term associated with a Scope enabling a Principal Participant to grant access to his or her Personal Data.

Guidance and Commentary: Example Terms of Authorization

When Bob, an Individual Principal User, grants authorization to ACME Co to access his Personal Data residing in the System, the following business, legal and technical facets of the system apply:

1. **Business:** The Third Party Provider has been approved by the System Provider and has agreed to conform to the minimum rules governing the System, including any branding, cost sharing, revenue sharing and all legal and technical rules that may apply.
2. **Legal:** The legal terms associated with the grant, as published on the “Approved Scopes and Grant Types” page referenced in the System Rules, are dynamically inserted into the Terms of Agreement for Bob such that the next time Bob clicks to review his Terms of Agreement, those terms appear under the section titled: “Terms of Authorization”. The Third Party Provider has assented to the applicable Terms of Agreement with the System Provider.
3. **Technical:** The technical functionality and limits associated with the Scope and Grant Type are enforced by the implementation and application of the System in accordance with the standards and rules defined under the System Rules. The “client” of the Third Party Provider has been registered by the System Provider in

advance such that an authorization token associated with the grant of authorization by a Principal User may be used.

Example:

An example of such a term follows:

Example integration of the "Legal_Term" into the "Terms_of_Authorization" section of the "Terms_of_Agreement" contract between the user and service provider, aka "terms of service" "terms and conditions of use" "terms of use" etc.

The Grant Type is to "Access and Copy" Personal Data (aka "read"). The syntax of the Grant Type would include a fragment of an English sentence that, when queried and inserted into an expected location on the HTML page comprising the Terms of Authorization, will complete an entire legal provision. By the same method, the Scope Type to "Get: Read PDS Location" would have an English sentence fragment associated with it as well which would likewise be dynamically incorporated into an expected location on the legal agreement page to complete the relevant terms relating to the names of the parties and the agreed rights, obligation and specific boundaries, stipulations or other requirements or constraints related to the authorization provided and the legal duties agreed by the Requesting Party and both directly and also through the Requesting Party. The following examples shows how the user contract dynamically include the orange orange directly from the Scope and other relevant parameters to both enforce technical rules and compete enforceable legal rules.

DEMO EXAMPLE SECTION OF USER TERMS OF AGREEMENT

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Terms of Authorization:

Furthermore, You and the following Parties agree that:

"AcmeNoteCo" is Authorized by You to "Access and Copy" your "Personal Location Data" Collected During "2013" and may use this Authorization until "December 31, 2013",

subject to non-conflicting terms of "AcmeNoteCo" legal agreement with You at "[AcmeNoteCo.com/ToS](#)".

}

In the above example the terms in quotes and rendered in red are pulled directly from the Resource Server records of scope grants, including scope type and relevant resource set and limits.