



AGENCE POUR LA
PROTECTION DES
PROGRAMMES

CONTROLLED DEPOSIT REQUEST

REGISTRATION ON THE IDDN DIRECTORY

You are about to make a controlled deposit request to the APP.

This documentation has been put together to assist you with this. We invite you to read it before starting to fill out the form it contains.

We should remind you that you must be **a member of the APP** to be able to make a deposit request. You can download the membership form on **app.asso.fr**

The **controlled deposit** is the subject of a **prior quote** issued by the APP. Please send us this form and its appendices, **without attaching the media** containing the elements you wish to deposit.

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CONTROLLED DEPOSIT REQUEST REGISTRATION ON THE IDDN DIRECTORY

TYPE OF REQUEST

ONLY ONE CHOICE POSSIBLE

Initial deposit

Update (state the previous IDDN number)

→ IDDN

XX . 000 . 000000 . 000 . X . X . 0000 . 000 . 0000

APP MEMBER

Member No. . .

Identity

Address REGISTERED OFFICE REQUIRED FOR LEGAL ENTITIES

Postcode Town/City Country

DESCRIPTION OF THE WORK

Name of the work

Subtitle (OPTIONAL) Date of the version

Type of work SEE APPENDIX 3 / IDDN CODING

ONLY ONE CHOICE POSSIBLE

First work

Composite work

Derivative work

Version of the work Version installation date

Product class SEE APPENDIX 3 / IDDN CODING Nationality of the work (ISO CODE) SEE APPENDIX 3 / IDDN CODING

RIGHTS HOLDER

I hereby certify that the aforementioned APP member is:

- ONLY ONE CHOICE POSSIBLE
- The sole rights holder of this work, or, the rights holder under the name of which the collective work was published.
- One of the co-rights holders of this work and has been authorised by all the co-rights holders to make the deposit.

→ IN THIS CASE, APPENDIX 1 OF THIS FORM MUST BE COMPLETED.

CONTROLLED DEPOSIT REQUEST REGISTRATION ON THE IDDN DIRECTORY

DESCRIPTION OF THE DEPOSIT

DEVELOPMENT ENVIRONMENT

Programming language(s)

Volume of the source code (BYTES)

Number of files

RUN TIME ENVIRONMENT (MINIMUM)

Hardware configuration

Operating system

Estimated compilation time

Standard deposit procedure: Yes No (IF NO, PLEASE ATTACH THE COMPILATION AND VERIFICATION PROCEDURES ENVISAGED BY THE PARTIES TO THIS DOCUMENT)

Estimated time of the verification procedure

Medium provided for the deposit IN 3 IDENTICAL COPIES

Logical key / encryption method: Yes No THE PARTIES ARE RESPONSIBLE FOR THE ENCRYPTION PROCEDURES USED AND IN PARTICULAR FOR THE ENCRYPTION KEYS.

ESCROW PLEASE REFER TO THE ATTACHED MANUAL FOR FURTHER INFORMATION.

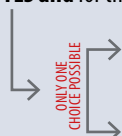
Is the work, object of the this deposit, covered by an **agreement between the Member and its clients or partners, which provides that these ("the Beneficiaries"), may have access to the Deposited Elements deposited with the APP, under conditions defined in the agreement, and that the Beneficiaries shall make their access request directly to the APP?**

NO → in such case, only the Member is authorised to ask the APP for access to the Elements of the Deposit.

YES and for this work, I have already signed an escrow agreement with the APP. My contract number is:

CONTACT US AT LEGAL@APP.ASSO.FR FOR ANY PRECISION.

YES and for this work:



I have already subscribed to the offer of management by the APP of an access clause.
My subscription number is:

I subscribe to the offer of management by the APP of an access clause.

€225,00 excl. VAT (€270,00 incl. VAT) PER YEAR, IRRESPECTIVE OF THE NUMBER OF DEPOSITS AND BENEFICIARIES.

The first subscription is established for a period of one year from the date of the subscription and it will be renewed tacitly for one year unless denounced according to the modalities provided for in the General Regulation (available on our website app.asso.fr).

CONTROLLED DEPOSIT REQUEST REGISTRATION ON THE IDDN DIRECTORY



MANAGEMENT OF THE FILE

If the member's address or invoicing address has changed since your last dealings with our Departments, please fill out the form "Update of the member's administrative information".

Administrative contact

Email address

Address

Postcode

Town/City

Department or job title

Telephone

Country

Invoicing contact

Address
Email

In case of difficulty with a copy request, the APP needs to have a technical contact to provide it with information:

Technical contact

Address
Email

TRUSTEE / A power of attorney must be attached to the deposit request.

Trustee identity

Company

Address

Postcode

Town/City

Country

Email address

Mobile

Telephone

Fax

DELIVERY ADDRESS

ONLY ONE CHOICE POSSIBLE

member

administrative contact

trustee

USER / To be filled out only in case of specific deposit

Company Name

Legal form

Address of registered office

Postcode

Town/City

Country

SIREN

Intra-EU VAT

Legal representative

Mr

Mrs

Surname

First name

Job Title

Technical contact

Mr

Mrs

Surname

First name

Email address

Telephone

CONTROLLED DEPOSIT REQUEST REGISTRATION ON THE IDDN DIRECTORY



I, the undersigned, Mr Mrs

Surname

First name

Job Title

, hereby certify that the information provided in this form is correct.

Done at:

On:

Signature(s) and stamp(s) *:

* The signature of all co-rights holders is required in case of co-ownership. Failing joint signature of this form by the co-rights holders or their representatives preceded by the full names and capacity, please attach the authorisation(s) of the co-rights holders authorising the member to register the work with the APP.

COST OF THE CONTROLLED DEPOSIT (INITIAL OR UPDATE):

On quote, upon receipt of the form and its Appendix 2 (compulsory). Send to app@app.asso.fr or to the postal address of the APP.

ANNUAL SUBSCRIPTION FOR THE APP TO MANAGE AN ACCESS CLAUSE:

€225.00 excl. VAT (€270.00 incl. VAT) per year, per creation (IDDN filiation), irrespective of the number of deposits and beneficiaries.

BOX RESERVED FOR THE APP

Information on the deposit

Request No.

Date of deposit / /

IDDN No. of the deposited work:

Deposit made by

Signature : _____

Pre-dispatch check

Logibox No.

Invoicing address

Date of check / /

IDDN No.

Delivery address

Name of checker

IDDN certificate

Postal tracking no.

Signature: _____

The full names and addresses of members and their contacts are notified to our internal departments and to the organisations contractually bound to the APP, unless an objection is raised. In such case, the notification shall be limited to the departments of the APP. Pursuant to Article 39 et seq of the French Law No 78-17 of 6 January 1978, as amended in 2004, on data processing, data files and individual liberties, any member may obtain notification and, as appropriate, rectification or removal of information concerning them, by contacting the APP at the following address: app@app.asso.fr

CONTROLLED DEPOSIT REQUEST REGISTRATION ON THE IDDN DIRECTORY

APPENDIX 1 / CO-RIGHTS HOLDERS

● PERSONNE MORALE

Company SIREN

Address REGISTERED OFFICE REQUIRED

Postcode Town/City Country

Company SIREN

Address REGISTERED OFFICE REQUIRED

Postcode Town/City Country

Company SIREN

Address REGISTERED OFFICE REQUIRED

Postcode Town/City Country

Company SIREN

Address REGISTERED OFFICE REQUIRED

Postcode Town/City Country

● NATURAL PERSON

Identity Mr Mrs National ID card / passport no.

Surname First name

Address

Postcode Town/City Country

Identity Mr Mrs National ID card / passport no.

Surname First name

Address

Postcode Town/City Country

Identity Mr Mrs National ID card / passport no.

Surname First name

Address

Postcode Town/City Country

Identity Mr Mrs National ID card / passport no.

Surname First name

Address

Postcode Town/City Country

Please attach a copy of each national ID card / passport of the natural person co-rights holders and/or the certificates of incorporation of the legal entity co-rights holders. Failing joint signature of this form by the co-rights holders or their representatives preceded by the full names and capacity, please attach the authorisation(s) of the co-rights holders authorising the member to register the work with the APP.

CONTROLLED DEPOSIT REQUEST REGISTRATION ON THE IDDN DIRECTORY

APPENDIX 2 / TECHNICAL QUESTIONNAIRE

● FUNCTIONAL DESCRIPTION / This means a brief description of the deposited work.

● DEVELOPMENT TOOLS / This means the development environments used to compile the source codes of the deposited work.

Name	Version	Language	Editor's website
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● SOFTWARE DEPENDENCIES / This means the software to be installed without which the deposited work will not work.

Name	Version	Purpose	Editor's website
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● CONTENT CREATED BY THIRD PARTIES / This means in particular modules, data files, libraries, etc. required for the compilation or operation of the compiled

Name	Version	Licence	Editor's website
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Please attach any useful document for the correct processing of the deposit operations to this questionnaire.

CONTROLLED DEPOSIT REQUEST REGISTRATION ON THE IDDN DIRECTORY

APPENDIX 3 / IDDN CODING

IDDN.FR.001.000000.000.R.P.2014.000.00000

(1) (2) (3) (4) (5) (6) (7) (8) (9) (10)

(1) IDDN

Inter Deposit Digital Number

(2) Nationality of the work

In line with the alpha-2 ISO coding	
DE - Germany	MG - Madagascar
AT - Austria	MA - Morocco
BE - Belgium	MQ - Martinique
CA - Canada	MC - Monaco
DK - Denmark	NO - Norway
ES - Spain	NL - Netherlands
US - United States	PT - Portugal
FI - Finland	CZ - Czech Republic
FR - France	RE - Réunion Island
GR - Greece	RU - Russia
GP - Guadeloupe	GB - United Kingdom
HU - Hungary	SK - Slovakia
IE - Ireland	SE - Sweden
IT - Italy	CH - Switzerland
JP - Japan	TN - Tunisia
LU - Luxembourg	

(3) Registration body

001 - APP France
002 - APP Switzerland
010 - IDDN

(4) Order number

Chronological order assigned by the registration body

(10) Product Class

10000 SOFTWARE - SYSTEM	21100 CAL	30710 Gas	31230 Medicine and health
10100 Operating systems	30000 SPECIALISED APPLICATION	30715 Water supply	31235 Education and scientific research
10200 Data transmission	30100 Agriculture	30800 Transport / communication	31300 Public services
10300 Databases (DBMS)	30200 Water and Forests	30805 Transport	31400 Leisure and family life
10400 Programming language	30300 Fishing	30810 Communication	31500 Others
10500 End user adapted language	30400 Mining	30900 Sales / Restaurants and outlets	40000 MULTIMEDIA / DATABASES
10600 Development assistance	30500 Construction	30905 Wholesale	40100 2D digital reproduction of work
10700 System operation management	30600 Production	30910 Retail	40200 3D digital reproduction of work
10800 Functional use	30605 Food	30915 Restaurants and beverage outlets	40300 Digital reproduction of an animated image
20000 UNIVERSAL APPLICATION	30610 Textile and clothing	31000 Financial and insurance activities	40400 Digital reproduction of a sound
20100 Planning / Management	30615 Wood, paste and paper	31005 Banking and fiduciary activities	41000 DIGITAL CREATION
20200 Accountancy	30620 Publication and printing	31010 Financial brokerage	41100 2D digital creation
20300 Personnel / salaries	30625 Chemistry and derivative industries	31015 Insurance	41200 3D digital creation
20400 Sales / Stock	30630 Stone, clay and glass products	31100 Property	41300 Creation of an animated image
20500 Production	30635 Metal products	31200 Services	41400 Digital creation of a sound
20600 Design / Study / Project	30640 Machines and Equipment	31205 Rental	41500 Creation of a digital photo
20700 Forecast / Statistics / Analysis	30645 Electric machines	31210 Hotels and hostels	42000 WEBSITE
20800 Office automation	30650 Transport equipment	31215 Radio diffusion and advertising	
20900 Information engineering	30700 Electricity/gas/heating/water supply	31220 Information services	
21000 Image processing	30705 Electricity	31225 Miscellaneous services	

(5) Version number

(000 for the initial registration)

(6) Type of registration

R: Referencing

Upon referencing, the only copy of the work is placed in a sealed envelope (Logibox) after being registered by the APP. The copy of the work placed in the Logibox is then returned to the rights holder by the APP.

D: Distribution deposit

For a distribution deposit, two copies of the work, as circulated to the public, are placed in two sealed envelopes (Logibox), one of which is kept by the APP and the other returned to the rights holder. In the case of a work under access clause, one more copy is registered, sealed and kept by the APP.

S: Source deposit

For a source deposit, two copies of the work, in its version not designed to be circulated to the public, are placed in two sealed envelopes (Logibox), one of which is kept by the APP and the other returned to the rights holder. In the case of a work under access clause, one more copy is registered, sealed and kept by the APP.

C: Controlled deposit

For a controlled deposit, three copies of the work are placed in three sealed envelopes (Logibox) after being verified by the APP. Two Logiboxes are kept by the APP and the third is returned to the rights holder.

(7) Type of work

P: First work

This is a work which you have developed in full.

C: Composite work

This is a work which incorporates all or part of a pre-existing work. If the incorporated elements belong to a third party, you must ensure that you have the right to incorporate them in your work.

A: Derivative work

This is an adaptation of a pre-existing work (for example, a version of a programme developed for a specific client, the transport of software from one environment to another). If the pre-existing work belongs to a third party, you must ensure that you have the right to adapt it.

(8) Year of first registration

(9) Integrity check

Reserved space

CONTROLLED DEPOSIT REQUEST REGISTRATION ON THE IDDN DIRECTORY

MANUAL

You are about to deposit a work with the APP using the controlled deposit procedure.

What is a controlled deposit?

A controlled deposit is one of the types of registration offered by the Agence pour la Protection des Programmes for your digital creations. This type of deposit is based on the deposit of sources and is intended for providers wishing to offer their user(s) a level of security that is higher than the standard registration operations by offering additional guarantees as to the deposited elements. In addition to the protection granted by the deposit of sources, the controlled deposit also guarantees to one or more users that the source codes of the deposited work correspond to the exploited work.

The purpose is to identify the overall technical environment (development, roll-out, etc.), the content (libraries, dependencies, etc.) and the volume of the programme to be registered by controlled deposit. For such purpose, a technical questionnaire has to be filled out (Appendix 2). Please fill it out carefully as your answers will be an essential working basis for the APP during the deposit operations.

Please provide us with any additional information (copy of documents, different listings, compilation/verification procedure for example) you consider useful for the correct processing of your deposit. This information must be attached to the controlled deposit form.

What is an escrow?

The Member and his customers or partners can agree that they, the Beneficiaries can, for a Creation, have access to the elements deposited with the APP in accordance with the terms stipulated in the agreement (e.g. Default by the Member), and that the Beneficiaries will make their request for access directly to the APP. The Member remains fully liable for the application of the clause or the agreement concerned.

Successive deposits of Creations covered by such agreements are subject to special management by the APP (specific archiving management, notification in the APP's registration databases, commitment to deal with access requests in accordance with the procedures set out in the General Regulations) throughout the entire term of the agreements, irrespective of the number of deposits of the Creation or the number of Beneficiaries having access.

Please Note: For a physical deposit of an escrowed Creation, the Member must send three copies of his creation to the APP. Three copies of the Creation are placed in separate sealed envelopes (Logibox) for each deposit. One of the "Logibox" is given to the Member, the other two are archived by the APP.

The APP proposes 2 separate offers:

1) Annual subscription for the APP to manage an access clause

The APP is not a cosignatory to the agreement providing access to the Deposited Elements. The clause providing access to the Deposited Elements is inserted into the agreement exclusively concluded between the Member and his Beneficiaries. The APP charges an annual subscription fee for managing the escrowed Creation, per Creation, irrespective of the number of deposits or Beneficiaries. In addition to the IDDN certificates, the Member receives an annual statement of his deposits upon request, and he is responsible for notifying the other Beneficiaries. The Member must inform the Beneficiaries that the APP will invoice the requesting Beneficiaries the cost of examining the request for access and for duplicating the Deposited Elements (if access is authorised) at the rates in force on the date of the access request.

2) Annual maintenance of an Escrow Agreement signed with the APP

The agreement providing access to the Deposited Elements is subject to an escrow agreement to which the APP is a cosignatory. This contract (a contract model is available upon request from APP's Legal Department) provides more personalised services with a limited number of Beneficiaries. The APP invoices an annual maintenance for managing and following up the escrowed Creation. In addition to the IDDN Certificates, the Member also receives an annual statement of his deposits upon request.

It is recommended to make at least "verified" if not "controlled" deposits for escrow agreements (usually escrow agreements that the APP has cosigned and with a limited number of Beneficiaries), for major versions of the Creation.

For more details about our "Escrow" offers, contact our lawyers by email at legal@app.asso.fr or by telephone on +33 (0)1 40 35 92 77.

How do you prepare your deposit? (Reminder: 1 work = 1 IDDN* No. = 1 form)

Prior to the deposit operations, we invite you to confirm the standard controlled deposit procedure in the form with your user and identify clearly on a digital medium the elements to be deposited (source codes, documentation, etc.) by placing them in separate files.

What is the standard controlled deposit procedure?

The standard procedure for the controlled deposit of a work is as follows:

- The compilation of the source codes in the presence of a representative of the member, of the user(s) and of the APP;
- The verification of the generated binary (binaries) (simple or advanced);
- Three copies on digital media (CD/DVD/USB, etc.) of the elements to be deposited;
- The placement in an electronic and physical sealed box (Logibox) of the media.

This is not a compliance check or a check of the lasting nature of the deposited work.

* IDDN Certificate (InterDeposit Digital Number): For each registration with the APP, the digital creation is listed on the IDDN international register which assigns a unique ID to it. It is indicated on the "IDDN" certificate issued to the member and certifying to the registration. For the registration of the initial deposit, then of successive updates, or of a referencing, each registration operation is assigned a new IDDN ID, with filtering between the IDs, if these are different versions of the same creation.

** Please note that you are fully responsible for the validity of the clause or of the agreement concerned.

CONTROLLED DEPOSIT REQUEST REGISTRATION ON THE IDDN DIRECTORY

MANUAL

What principles have to be respected?

You have to be an APP member on the membership payment date to be able to make a deposit.

The member must **keep an “accessible” copy of the work** as the medium returned to it at the end of the controlled deposit operations will have been placed in a Logibox (sealed). This LogiBox shall not in any event be opened by the member for reasons of integrity of the sealed box. Any opening shall be made by an authorised person (sworn officer, judicial expert, judicial officer).

In case of request for duplication of the sealed box and if the type of the medium so permits, the **APP shall make an identical copy of all of the deposited elements**.

In case of delivery and/or invoicing address different from the address given on the deposit form, please fill out the update form of the member’s administrative information.

To obtain a quote for this service, please fill out, sign and return the controlled deposit form by mail to the following address:

Agence pour la protection des programmes - 54, rue de Paradis 75010 PARIS

To speed up the processing of your request for a quote, please send a copy of the controlled deposit form to the following address: app@app.asso.fr

Information on the fields of the controlled deposit form

DESCRIPTION OF THE WORK

An initial work is a work which you have developed in full.

A composite work is a work which incorporates all or part of a pre-existing work. If the incorporated elements belong to a third party, you must ensure that you have the right to incorporate them in your work.

A derivative work is an adaptation of a pre-existing work (for example, a version of a programme developed for a specific client, the transport of software from one environment to another). If the pre-existing work belongs to a third party, you must ensure that you have the right to adapt it.

RIGHTS HOLDER

The collective work: pursuant to Article L.113-2 of the French Intellectual Property Code, “Collective Work shall mean a work created at the initiative of a natural or legal person who edits it, publishes it and discloses it under his direction and name and in which the personal contributions of the various authors who participated in its production are merged in the overall work for which they were conceived, without it being possible to attribute to each author a separate right in the work as created”.

Work of collaboration: pursuant to Article L.113-2 of the French Intellectual Property Code, “Work of Collaboration shall mean a work in the creation of which more than one natural person has participated”.

The names of the co-rights holders of the work of a collaboration must be indicated on the deposit request.

To this end, please fill out **Appendix 1 of the controlled deposit form**. **Failing joint signature** of the form by the co-rights holders, **please attach the authorisation of the co-rights holders** authorising the member to exercise their rights.

TRUSTEE

This is anyone not in the member company and duly authorised by this latter for example an advisor on industrial property, a notary, a lawyer, a subsidiary, etc.

Please contact us for further information
by email to app@app.asso.fr or by telephone on **+33 (0)1 40 35 03 03**