

## **ToIP & DIF differences in regards to individual contributors**

The two foundations have slight differences in their respective processes for accepting individual contributors agreements from individuals with full-time employment for IP-producing organizations (i.e. commercial software companies)

ToIP allows individuals to self-attest whether their employer allows intellectual property generated from work done outside of work duties to be self-owned; many contracts in the software industry have blanket clauses covering all intellectual property generated during a given period of employment.

DIF takes a more cautious approach by requiring employers to sign a IPR release, to protect work produced in DIF from the uncertain boundary between individual contribution and employer IP.

## **ToIP & DIF Corporate Membership Differences**

The two foundations have slightly different sets of requirements for accepting corporate members.

ToIP allows corporate members of any size at all membership levels: Steering Committee, General Membership, and Contributor. Corporate membership at the contributor level is free.

DIF allows corporate members up to 1000 employees in size to join on a “contributor” basis for free, but not larger enterprises. Corporate members with more than 1000 members are required to become an associate member level with tiered annual membership fees.

## **Cases where these two differences are determinant**

The combination of these two differences makes it easier for an individual to request their employer to join ToIP and support their contributions in a way that best protects IPR, in cases where the price of membership is a significant factor. Corporate membership is always the most desired route to engagement for ToIP, but ToIP does accept contributions from employees of corporations that cannot or will not join ToIP, but only after they have signed an individual contributor agreement (see below) and on a case-by-case basis. The DIF Steering Committee has made it clear that these exceptions should not be made at DIF, even if it limits contribution.