

June 7, 2000

John R. Hoffman  
Chairman  
North American Numbering Council  
6607 Willow Lane  
Mission Hills, KS 66208-1974

Dear Mr. Hoffman:

I am responding to your letter of March 21, 2000 requesting an interpretation of section 52.13(g) of the Commission's rules, 47 C.F.R. § 52.13(g), which governs the transfer of intellectual property and associated hardware from the current North American Numbering Plan Administrator (NANPA) to its successor.

The rule states that the NANPA "must make available any and all intellectual property and associated hardware resulting from its activities as numbering administrator." The Commission's intent in promulgating this rule was to enable a seamless transfer of North American Numbering Plan (NANP) administrative functions if and when a different administrator is chosen. Thus, "any and all intellectual property and associated hardware" would necessarily include systems used and developed for NANP administrative functions, including custom-developed and commercial, off-the-shelf software and hardware, especially if purchased with NANP administrative funds and used for NANP administrative functions.

When Lockheed Martin CIS was selected as the NANPA, it committed to providing intellectual property rights for certain systems, software, and support documentation specifically developed to support NANPA functions. If another entity succeeds NeuStar, the current NANPA, we expect that all systems used and developed for numbering administration functions, including all intellectual property and associated hardware as described above, would transfer to the new entity free of charge. The only exception, specified in section 52.13(g) of our rules, applies to property that existed prior to Lockheed Martin CIS's and/or NeuStar's selection as NANPA. NeuStar must specify such property to the extent that it wishes to exclude it from being transferred to a successor NANPA.

Sincerely,

Lawrence E. Strickling  
Chief, Common Carrier Bureau  
Federal Communications Commission