

Bolzano/Bozen, 7th August 2023

Market research – Open Data Hub – Legal consultancy about data exchange and AlaaS contracts.

This document concerns market research for the identification of a partner that can support NOI S.p.A., from a legal point of view, in the activation of new services or to update existing contracts on top of the real needs that will emerge during the project.

For example, in the coming months NOI S.P.A. will activate new services such as:

- possibility to consume and offer AlaaS services through the Open Data Hub infrastructure;
- The activation of collaborations with external technological companies which manage "IoT platforms" at international level, where data from different organizations on a broad geographic area are made available. Normally, in this case the tech company is not the owner of the data. Typically, the owners are the clients that use the platform made available by the tech company.

Activities included in this market research are:

- analysis to define the requirements and to collect the information needed for the creation of a set of standard contracts that the Open Data Hub team will use with its customers;
- definition and redaction of new contract based on the results of the analysis;
- update existing contracts to fit the needs of specific customers.

Project name: IMPACT – Impacting Innovation Through Specialization

Project code: EFRE1048

Project CUP: J57H23000640009

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Eintragung im Handelsregister
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Steuernr. & MwSt.Nr.:
02595720216
Ges.kapital voll eingezahlt:
110.740.000 €

Numero d'iscrizione nel registro
delle imprese presso la Camera
di commercio di Bolzano
Codice fiscale e part.
IVA.: 02595720216
Capitale sociale interamente
versato: 172.740.000 €

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1. Goal of the market research

This chapter aims to explain in more detail about content included in the market research. The aim is, identify one or more partners that can support NOI S.p.A., from a legal point of view, in the activation of new services or to update existing contracts on top of the real needs that will emerge during the project.

For example, in the coming months NOI S.P.A. will activate new services such as:

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Activities included in this market research are:

- analysis to define the requirements and to collect the information needed for the creation of a set of standard contracts that the Open Data Hub team will use with its customers;
- definition and redaction of new contracts (e.g., AlaaS sharing, AlaaS consuming, IoT platform collaboration, etc.) based on the results of the analysis;
- update existing contracts to fit the needs of specific customers or integrate new use cases that could emerge with the evolution of the Open Data Hub project and of the IT technologies.

More detail about the Market research are described in the next paragraphs of the present document.

1.1 INTRODUCTION

Open Data Hub is a cross-border digital platform that helps start-ups, companies and research institutes to develop digital solutions based on real data. It connects data from different data providers and makes this data easily available for data consumers. More information about the p

<https://opendatahub.com/>

The main services offered by the Open Data Hub are:

- **Data Access:** the service to provide access to data of different domains (e.g. Torusim, Mobility, Weather, etc) and data providers, through a machine-readable, documented and stable channel. More information about the service are available at the following link:

<https://opendatahub.com/services/data-access/>

- **Data Sharing:** the service to help companies and institutions to give visibility to their data, identify suitable formats, processing algorithms and licenses and to use technologies known by application developers. More information about the service are available at the following link:

<https://opendatahub.com/services/data-sharing/>

- **Data Visualization:** the service to help companies to test, visualize and get inspired by data to make their ideas concrete and valuable. More information about the service are available at the following link:

<https://opendatahub.com/services/data-visualization/>

In the last years, the number of IoT platforms that collect the data from sensors and devices and make it available through APIs is constantly increasing. Considering that, the Open Data Hub team is considering the possibility to activate collaboration with external technological companies which manage this kind of "IoT platforms" at international level, where data from different organizations are made available. The vision is to activate with the interested IoT platform providers a set of standard APIs that allows the provider to share the data of a new organization simply by adding a small configuration to its platform. Therefore, NOI S.P.A. needs to define a template for a contract that can be used to regulate the collaboration with the different IoT Platform providers and review the existing Open Data Hub Data Sharing contract to also fit the needs of the data providers who wants to share their data through such IoT platforms.

Moreover NOI S.P.A., considering the growth of the AI/ML technologies, is now considering the possibility of activating a new Open Data Hub AlaaS service option that could be offered to its clients.

1.2 TARGET USER

The main target users/clients are:

- **AlaaS provider:** companies and/or institutions that developed AI algorithms and want to provide visibility to it. This target group will include both:
 - companies and/or institutions that are already offering AI algorithms and wants to provide them more visibility by sharing it through the Open Data Hub;
 - companies and/or institutions that developed AI algorithms and has the need to externalize the hosting to be able to offer it to potential users and clients;
- **AlaaS consumer:** companies and/or institutions that want to integrate AI services in their products without having the need to implement, host and train the algorithms they need. The AlaaS consumer will always access the offered AI algorithms only via API.

- **IoT Platform Provider:** companies who manage "IoT platforms" that collect data from different organizations, which may be interested in offering the possibility for their customers to share their data with the Open Data Hub in an uncomplicated way through their IoT platforms.

1.3 USE CASES "AI-AS-A-SERVICE"

This section summarizes the main future use cases the Open Data Hub team foresees for the future AlaaS services.

1.3.1 AI algorithm sharing without hosting

This use case foresees that the AI provider will host the AI algorithm on its server infrastructure. The Open Data Hub will access the algorithm through dedicated APIs and act as a proxy without storing any kind of data or information.

1.3.2 AI algorithm sharing with hosting

This use case foresees that the Open Data Hub will host the AI algorithm on its server infrastructure. Typically, the algorithms that fall under this use case are developed within projects or activities where the Open Data Hub is directly involved, but in some cases, it could happen that the algorithms are completely developed by third parties.

1.3.3 AI algorithm access

This use case foresees that the AI consumer accesses the AI Algorithms via API. All information required by the single algorithms will be shared by the AI consumer via the API call. All information and data shared by the AI consumer will not be stored by the Open Data Hub, but only used to properly run the algorithms.

1.4 EXAMPLES OF AI-AS-A-SERVICES

In this paragraph are listed some examples of algorithms that can be used as reference for the analysis of the requirements.

1.4.1 Parking availability prediction model

The parking prediction model provides as output the prediction of the availability of a certain parking area. The AI consumer, to start a parking availability prediction request, must provide in the request at least: the parking area ID and the timestamp to be used for the prediction.

Typical applications that can consume this AI service are the route planners, that could suggest the route based on the predicted parking availability at the arrival time.

1.4.2 Passport verification algorithm

The passport verification algorithm verifies the uploaded document and retrieves its information (e.g. name, surname, address, passport ID, validity data, etc.). The AI consumer, to start a recommendation request, must provide in the request at least: the picture of the passport main page.

Typical applications that can consume this AI service are Property Management Systems in use in Hotels, to speed up the check-in process of tourists.

1.4.3 Activity/Point of Interest recommendation algorithm

The activity recommendation system algorithm as output a list of activities and/or points of interest targeted on the user profile shared by the AI consumer. The AI consumer, to start a recommendation request, must provide in the request at least: a generic user profile and the timestamp to be considered for the recommendation. To have more precise recommendations the AI consumer can also decide to share detailed information about the user, to generate a personalized recommendation.

Typical applications that can consume this AI service are tourism destination applications, to suggest interesting activities to its users.

1.5 USE CASE “IOT PLATFORM PROVIDER”

In this use case 3rd party organizations (e.g. a municipality) may want to share data with the Open Data Hub through a technological partner/supplier, with which a cooperation is already in place to collect the data from different devices and sensors through an IoT Platform. The activation of the data flow with the Open Data Hub should be very quick and easy once the organization decides to share the data, since the interface with the IoT platform owned by the IoT Platform Provider may be already in place. In this scenario:

- the 3rd party organization needs to activate the data share with its supplier, according to the commercial agreement that each specific IoT Platform Provider will define;
- the 3rd party organization needs to activate a Data Sharing contract with the Open Data Hub, as the current practice.

At the base of all these agreements there should be a basic agreement between NOI / Open Data Hub and the interested IoT Platform Providers in which all such processes are clearly defined.

1.5.1 Example 1: Parking platform manager

In this case the IoT Platform Provider is a parking solutions provider that implements the platform to manage parking lots and wants to provide to its client the possibility to share the data about the parking lot availability with the Open Data Hub. In this case the IoT Platform provider wants to implement the interface between its platform and the Open Data Hub only one time and then provide the possibility to share the

data to the single client simply by activating a configuration. The IoT Platform Provider must guarantee a given Service Level Agreement that could be part of the contract.

1.5.2 Example 2: Parking area manager

The parking area manager, managing their parking areas, will easily share the parking availability data to provide more visibility to its parking area. The parking area manager will have the possibility to activate communication between the IoT platform and the Open Data Hub simply by adding a simple configuration in the IoT platform. In this case the parking area manager will probably need to sign an Open Data Hub Data Sharing contract with NOI S.P.S. before the data gets exposed by the Open Data Hub APIs. The activation and maintenance cost for the interface between the Open Data Hub and the IoT Platform will be part of the agreement between the Parking area manager and the IoT Platform Provider.

1.6 TASKS AND SERVICES

The task, services and activities included in this market research are:

- analysis of all mentioned use case with the goal to define a set of requirements and information to be considered for the drafting of the contracts;
- drafting of the required contracts (e.g. e.g., AlaaS sharing, AlaaS consuming, IoT platform collaboration, etc.);
- 40 hours to be used on a pay-as-you-go basis, to help the Open Data Hub team in the analysis of special use cases that could emerge.

2. Constraints

In this section are listed and described the constraints that the service provider must follow to work with NOI on this project.

2.1 ECONOMIC EXPLOITATION

Where the creation of material subject to proprietary rights, including copyrights, sui generis data rights, and related rights, including solely of photographs, industrial design, all rights of economic exploitation arising from achieved results are reserved to NOI S.p.A., excepting those expressly excluded when the order is placed.

Further, if the material includes a software development project, all source code from libraries or other modules used in the realization of an assignment and belonging to a third party must be released under an Open Source license (opensource.org/licenses) in a manner compatible with the scope of the "outbound" software license, without requirement for adaptation, addition, cancellation or requests for permission from third parties on the part of NOI S.p.A. In the absence of any expressly indicated license, the terms of the GNU GPL v3 licence shall apply. The use of material belonging to third parties must be expressly declared at the time of the offer or be easily and immediately understandable from the description of the project. If code is

developed during the realization of this assignment, NOI S.p.A. will initiate a Git repository on which the supplier must develop and publish the source code.

If the material consists of data, creative works (drawings, literary works, cinematographic works, figurative art, photographs), industrial design or other material which are subject in whole or in part to the proprietary rights of a third party, the use of such material is permitted provided it is licensed under conditions compatible with the license under which said material will be published, if indicated. If no license is indicated, the material will be subject to conditions compatible with the Creative Commons Zero (CC0) license.

2.2 INVOICING

The invoicing of the activities concluded by the supplier will be sent to NOI S.p.A via electronic invoice only after the outputs produced have been successfully tested by NOI S.p.A. Before to proceed with the testing of the outputs, the supplier must provide to NOI S.p.A.:

- the entire documentation.
- if code development is planned, the code must be uploaded to the Git repository provided by NOI S.p.A.
- in the case of multimedia contents (e.g., photos, videos, illustrations, documents), the service provider must upload it on specific platforms (e.g., Vimeo, Flickr, etc.) and provide the source files or open versions through appropriate file hosting services indicated by NOI S.p.A.

All invoices must include that the transaction is subject to the Split Payment discipline as mentioned in the art.17-ter del DPR 633/197 and must be issued exclusively in electronic format (Unique Office code: T04ZHR3).

2.3 WORKING PLACE AND HOUR

2.3.1 Working Hours

The execution of the works that involve collaboration with the staff of NOI Techpark or other entities involved in the project must be carried out within a timeframe ranging from 9.00 to 12.00 and from 15.00 to 17.00. Depending on the needs, different times may be agreed via email between the service provider and the entities involved.

2.3.2 Working Place

The meetings that will be agreed during the project will take place, according to the needs of the project team, online or in the NOI Techpark offices:

- Via Alessandro Volta, 13, Bolzano.

Any expenses that the supplier will have to incur to reach these locations will not imply an additional cost for NOI Techpark. In any case, any travel costs that the

supplier will have to incur to ensure the natural performance of the project activities (e.g., extraordinary coordination meetings, interventions that require presence on site, development activities to be carried out in agreement with the one or more entities / suppliers involved in the project, etc.) cannot be billed to NOI Techpark.

3. Request to the supplier

3.1 PROJECT INFORMATION

The supplier must include in all documents (e.g., offer, invoice, etc.) the following information:

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3.2 OUTPUTS

The service provider should produce:

- document including:
 - use case analysis requirements;
 - list of requirements for each contract;
 - list of clauses to be included in the contract;
- the set of required contracts (e.g. e.g., AlaaS sharing, AlaaS consuming, IoT platform collaboration, etc.);
- for each on-demand activity the specific output and the needed resources will be agreed via email.

4. Documentation

To participate in this market research, we kindly ask you to provide the following documentation:

- a short company description that includes also a list of references in similar projects;
- a short description of the team that will be assigned to the project including a short description of the competences of each team member;
- the hourly rate of each team member;
- effort estimation (divided for each team member involved) for each output included in this market research.

5. Deadlines and contacts

The service providers who are interested in participating in this market research will have to present their estimation by the **22nd of August 2023**.

In case of any question please contact:
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