

OPRA POLICY ON PERSONS PROVIDING INTERNET ACCESS TO REAL TIME OPRA DATA

1. A person that redistributes OPRA data “externally” – i.e., outside its own organization – is a “Vendor” for OPRA’s purposes and is required to execute a Vendor Agreement with OPRA and pay a Redistribution Fee.¹ This is true regardless of the method used to redistribute OPRA data, and extends to the redistribution of OPRA data by means of the Internet.

2. Notwithstanding paragraph 1 above, OPRA does not regard a person as a Vendor, and the person will not be required to enter into a Vendor Agreement or pay a Redistribution Fee, if the person does no more than maintain an Internet site on which there is a link or a framed page through which OPRA data provided by a person that is an OPRA Vendor may be accessed, and if each of the following additional conditions is satisfied:
 - The person maintaining the Internet site has no involvement in the redistribution of OPRA data other than through a link or framed page on that Internet site;
 - The Internet site clearly and prominently identifies the Vendor who provides OPRA data through the link or framed page on that site as the Vendor responsible for furnishing the data;
 - Either:
 - The Vendor who provides OPRA data through a linked site or framed page has control of the entitlement or enablement process for each person who has access to OPRA data by means of the linked site or framed page and pays applicable usage-based fees to OPRA in respect thereof; or
 - The person who maintains the Internet site is a “Correspondent Subscriber” as defined in OPRA’s Vendor Agreement – that is, the person has entered into and is in compliance with (i) a Professional Subscriber Agreement with OPRA and (ii) a Correspondent Subscriber Agreement with the Vendor who provides OPRA data through the link or framed page on the Internet site that satisfies the requirements of Section 7 of the Vendor’s Vendor Agreement with OPRA – and limits access to OPRA data by means of the link or framed page to persons with whom it has entered into a Subscriber Agreement and in respect of whom it pays applicable usage-based fees to OPRA.

¹ OPRA’s Usage-based Vendor Fee and Direct Access Fee may also apply.