

The Trading Partner Agreement (TPA) is a critical element of the GS1 Global Data Synchronisation Network (GDSN) as it is designed to protect trading partner proprietary information. The agreement serves to protect trading partners, GDSN and Data Pools as information is exchanged in the network. This bulletin provides guidance, and serves as a reminder, to GDSN-certified Data Pools on implementing a TPA.

As part of becoming certified and maintaining certification status, each GDSN Data Pool must sign and adhere to the fiscal, performance and legal requirements as outlined in the Global Registry Access and License Agreement (GRALA)¹ and Certification Criteria documents². The Certification Committee of the GDSN Board charged GDSN, Inc. to audit GDSN-certified Data Pools (data pool) to ensure compliance with these contractual requirements. GDSN, Inc. had already concluded a first audit of data pool performance against the Certification Criteria Documents in June 2008. GDSN, Inc. and the Certification Committee are monitoring data pool progress.

GDSN, Inc. is currently auditing data pool Trading Partner Agreements (TPA)³ as outlined in the GRALA. TPA has been in place since the inception of the GDSN; hence, it is not a new requirement for data pools. The agreement was formerly called the Trading Partner Service Agreement (TPSA).

Initial findings have revealed that some data pools have successfully implemented TPA, while other data pools have not because they are questioning the purpose and need of the TPA; or because the timing of requirement to execute TPA was unclear, or because there were challenges surrounding obtaining trading partner agreement to the TPA.

Each data pool is contractually bound by the GRALA to have a TPA acknowledged by each of their users. The TPA covers user publications/subscriptions via the GDSN between data pools for local or global synchronisation.

GDSN, Inc. has refined the TPA agreement to make implementation easier, including:

- Only trading partner's acknowledgement needed. Initially, TPA required the capture of an actual physical signature from each trading partner. In 2006, TPSA changed to TPA evolving to trading partner's acknowledgement only, which means GDSN no longer requires a physical signature.
- Choice of law. Initially, U.S. law was the default governing law. In 2007, 'choice of law' was incorporated to reflect local governing law of the country where the trading partner is based.
- In a continuing effort to make it easier for data pools to implement the TPA, GDSN, Inc. is currently translating the TPA into Spanish, French and Traditional Chinese.

GDSN, Inc. has also provided best practices to data pools on how they may implement the TPA. These suggestions encompass how other data pools are currently administering the TPA:

- Append to the data pool-trading partner contract. As user contract renewal dates approach, it is recommended that data pools phase in the TPA.
- Web 'click thru' acknowledgement.

If you have suggestions or questions, please contact Patrick Roy at proy@gs1gdsn.org or +1 609 897-0889.

¹ www.gs1.org/productssolutions/gdsn/support/data_pools/docs/new/GDSN_Access_and_License_Agreement.pdf

² www.gs1.org/docs/gdsn/gdsn_certification_criteria_document.pdf

³ www.gs1.org/productssolutions/gdsn/support/data_pools/docs/new/GDSN_Terms_of_Participation_non_US.pdf