

Exhibit 5

**Global Glossary Grid
Introduction and Links**

Please note that the Global Glossary Grid (“GGG”) is currently presented on an excel spreadsheet that presents more than 1700 definitions from 36 different sources. It is not useful to print out the GGG on paper.

Please go to [link] to access a copy of the current GGG

The following is an introduction to the GGG and a table of links to most of the glossaries of the 36 different sources from which the GGG was derived

Introduction

Why are definitions important?

The selection of definitions to be used in common legal agreements is not an ancillary consideration in the construction of Trust Frameworks. Indeed, they are critical components of future system interoperability. This is because online identity data management services systems are configured through both specifications for technology tools *and* trust frameworks composed of integrated legal agreements) that together set forth rules (“Tools and Rules”).

The legal agreements that make up Trust Frameworks are not standardized and rendered interoperable by technology. They are, however, standardized through language conventions. Standard definitions are one of those conventions. Definitions are the building blocks to build the legal terms that will create the enforceable duties that will guide the behavior of people who are involved in the collection, use and transfer of data and information in these systems. Definitions matter.

Definitions are context specific

This is a statement of the obvious, but an important point. Words have meanings in context. The prevalence of each English homograph¹ is an example of that context-dependent variable in language. Even when meanings are not overtly different, variation in definitions ranges from subtle to dramatic. This is why legal documents, which are intended to avoid future misunderstandings by carefully documenting the mutual exchange of promises of future performance, generally contain at least a couple of defined terms, typically the terms that are the most relevant in the given context. When the legal document is directed toward something as ethereal as a promise of future performance (a form of intangible property roughly described as “contract rights”), words are sometimes all there really is to rely upon.

Existing Glossaries offer insights into different perspectives

Each of the available definitions referenced in the research that informs the entries into the GGG (Global Glossary Grid), was developed in a specific context, whether a specific industry, legal jurisdiction, time period, or by authors with different backgrounds and experience.

Access to the accumulation of these definitions provides future authors of Trust Frameworks, agreements, policies, laws and other materials in the area of online identity and telecommunications identity systems with a relatively rich store of raw materials from which to seek the most appropriate definitions for their given context.

¹ Words that are spelled alike but with different meanings.

Existing Glossaries were each developed in a context

Definitions will continue to evolve. This latter point is important. Many of the glossaries have naturally been developed by people with technical backgrounds who have a deep sense of the meaning and relationship of technical concepts associated with computing, networking, identity data and information theory and the like.

In the current context, the American Bar Association and a number of other groups are simultaneously considering different sets of terms to recommend and adopt for purposes of their respective work with respect to the legal aspects of these systems. This signals the initiation of a new source of “context” for identity systems, as legal structures are explored, adopted, rejected, modified and evolve through myriad contracts, legislation regulations and the like.

The application of legal focus to the area will bring in a new wave of concepts and definitions that have “legal” meaning. In some cases these will mesh with the existing definitions, and in some cases there will be issues to work through in conforming definitions. This introduces an entirely new set of considerations into the selection of vocabulary. Some of the existing glossaries were prepared for use in legal contexts, while some were not. The provenance of the glossaries is relevant in this way as well.

How to choose

Ultimately, the object is not to pick “winners and losers,” but to achieve the benefits (including “network effects” of broad common adoption) associated with a common lexicon for putting together the legal agreements that will create duties to guide behavior consistent with the organization and operation of broadly interoperable online and telecommunications identity systems. That lexicon should include a couple of components.

First, it should present definitions that are best able, in their use of common parlance, to capture relevant characteristics of the system element, feature or characteristic to which they are directed. In other words, they should be broadly accessible and broadly accurate. They should appropriately “simplify” and “explain” complex concepts to the benefit of all stakeholders. This is a somewhat subjective determination, but one that can be informed by review and analysis of the relative merits of different suggested approaches by people working with the definitions and legal systems design as the construction of the legal structures proceeds.

Second, the most useful definitions are the ones that are most broadly understood and adopted. Thus, like language itself, the benefit is mostly in the fact of broad adoption, rather than just the specific definitions chosen.

What are the options?

The ABA working with Identity Commons (www.identitycommons.org) has been engaged in a project to collect the relevant existing definitions and to create tools to

enable users to easily reference the various choices, particularly in this early period of development of the legal concepts in the area when definitions are more fluid.

The list of glossaries and links is identified to date is included as Exhibit A to this section.

Why look at existing definitions?

Definitions are like archaeological materials, they reveal something of their creator's background and intentions. Careful study can reveal subtleties that are not at first recognized. Review of the "drafting solutions" taken in different approaches can inform the current drafting effort, even if only one of a set of reviewed definitions is ultimately chosen for use (or as a starting point for creating a new definition) in a particular contract or other document.

Second, the selection of a set of definitions is, itself an act of creating a "attractor-like network." In other words, where there is unclear meaning in an area, the selection of a definition, any definition, adds certainty, even if the choice made is not considered ideal by all parties. A selected definition at least has the benefit of certainty, which can have system interoperability benefits.

It is fully expected that the technological elements of online identity systems will change dramatically over time. There is no good reason not to suspect that the same will be true of the legal elements of such systems. As such, this will not be the last time that the issue of appropriate common definitions is explored. That latter point counsels in favor of emphasizing the interoperability point, i.e., that selecting definitions based on their "potential adoption momentum" may be among the most important variables to consider, particularly during these early stages where these systems are just beginning to coalesce. The early selection of definitions speeds the process.

A preliminary choice of definitions . . .and a suggestion of community collaboration

The author of this section recommends that, whatever sets of definitions are ultimately selected by a group, that they also entertain the suggestion that the group be amendable to modification to (and that it structure its Trust Framework to accommodate) further development through collaborative processes involving the stakeholder community (in the course of the related discussions of Trust Framework and related agreements).

Subjecting definitions to legal system development processes will assure they stay current

Definitions are core, but they should not be unduly "set in stone" any more than any other characteristic of system Tools and Rules. Those elements that are treated as inviolable will be system problems later on. Systems to derive definitions should be designed to permit the processes through which definitions are revisited and revised periodically as needed.

What tools are available to aid in further definitions development?

The American Bar Association and Identity Commons have engaged in a project for over a year to collect definitions from various publicly available glossaries and other works relating to online identity and identity data management sources. Those definitions are included in the Global Glossary Grid (the GGG), a copy of which can be accessed at [NOTE insert links to GGG here from ABA and Identity Commons sites]. Open Identity Exchange also supports the GGG, and is designing its Trust Framework Development Toolkit to integrate the GGG.

The GGG and the online data base are offered to all interested parties (subject to rights clearance that is currently being pursued) for research and development purposes associated with identity management and related systems. [NOTE: discuss nature of licensing arrangements needed for GGG].

Exhibit A

Sources of Definitions included in Global Glossary Grid (GGG)

Draft 2/11/11

Prepared as a joint research project of the:

Identity Commons – Legal Working Group

and

American Bar Association – Business Law Section – Cyberspace Law Committee

Please note that the GGG and this listing are intended for use by any interested parties for research and reference purposes relating to the analysis and development of technological tools and legal rules for public, private, governmental and other information systems. The material is not intended to be comprehensive or authoritative. Some materials are presented in summarized, edited or abbreviated forms. Original materials should be accessed for authoritative reference.

Please also note that many of the glossaries were originally presented in the context of a larger work. We have referenced the definitions for purposes of comparison here with other similar definitions, but have not made any attempt to carry forward their original context into this initial accumulation effort. Accordingly, some of the definitions may have been intended for a narrower use than might be suggested by their inclusion in this accumulation. Whatever their original intended use, it is believed that the definitions themselves (even stripped of their original context) can be helpful in evaluating other similar definitions.

Links to the individual glossary sources are provided for convenient access to referenced materials that are made publicly available on the internet by their authors. Persons interested in using such materials should review the relevant terms of conditions of use and contact the respective rights owners to make arrangements for the rights needed for the anticipated use.

Notes to User:


This chart is intended to provide easy access to original source materials that are included in the GGG.

The title of each of the various materials that included the glossary is provided below and in the GGG. The GGG also references the document number indicated below.

These are currently presented in random order. As the project moves forward, we will seek to apply technologies and system structures that will enhance the ability to restructure the definitions data for presentation to users in a way that is most helpful to the various programs and initiatives in which it might be used.

	DOCUMENT NAME	AUTHOR	DATE	WEB ADDRESS
1	Incommon Federation Participant Operational Practices		Last accessed 1/21/10	http://www.incommonfederation.org/monpop_20080208.htm Information distributed management system for
2	E-Authentication Federation Interim Legal Document Suite	e-Gov	10/14/05	http://www.japanpkiforum.org/2005/10/14/101405_eauth_policy/EAI_Legal_Documents.htm Legal definitions related to the E-Authentication Federation management agreement (General Services Administration) for the E-Authentication Federation.
3	Identipedia	IdCommons	Last accessed 1/19/10	http://wiki.idcommons.org/ Wiki-encyclopedia of terms related to identity management.
4	Proposal for a Common Identity Framework: A User-Centric Identity Metasystem	Kim Cameron, Reinhard Posch, Kai Rannenberg	10/5/08	http://www.identityblog.com/content/images/2009/06/05/identity_metasystem.pdf Basic identity management framework and explanation of “claims”
5	Wikipedia:Digital Identity	Wikipedia	Last accessed 1/21/10	http://en.wikipedia.org/wiki/Digital_identity Limited definition of “digital identity”
6	Modinis: Common Terminological Framework for Interoperable Electronic Identity Management		11/23/05	https://www.cosic.esat.int/identitymanagement/modinis/idm/twiki/bin/view.cgi?name=Modinis Consultation paper prepared for the European Union Commission on the common terminological framework for interoperable electronic identity management
7	Open Privacy.Org: Definitions	Open Privacy Initiative	Last accessed 1/21/10	http://www.openprivacy.org/definitions/ Technical definitions.
8	Random Thoughts on Digital Identity: Digital Identity Glossary	Blog: Random Thoughts on Digital Identity	8/23/07	http://blog.onghome.com/2007/08/23/digital-identity-glossary/ Non-technical definitions
9	The Identity Dictionary	Blog: Identity and Access Management (Allan Milgate)	8/21/06	http://identityaccessmanagement.com/identitydictionary/ Basic definitions of 100 terms related to “Identity Management”
10	National Security Telecommunications Advisory Committee (NSTAC) Report to the President on Identity Management Strategy	NSTAC	5/21/09	http://www.ncs.gov/nstac/identitymanagement/20090521/Report%20Report.pdf#14 General glossary of identity management terms

	DOCUMENT NAME	AUTHOR	DATE	WEB ADDRESS
11	Identity Management Task Force Report 2008	National Science & Technology Council Subcommittee on Biometrics & Identity Management	2008	http://www.ostp.gov/ga...port%20Final.pdf General glossary of ide
12	Electronic Authentication Partnership (EAP) Trust Framework	EAP	1/6/05	http://eap.projectliberty...605_final.pdf General and technical g Framework.
13	Federated Identity Management: Balancing Privacy Rights, Liability Risks, and the Duty to Authenticate	Thomas J. Smedinghoff	8/21/09	http://papers.ssrn.com/s...599 Limited general and leg
14	Kantara Identity Assurance Framework: Glossary	Editor: Britta Glade	10/14/09	www.kantarainitiative... General and technical g Initiative.
15	Issues for Responsible User-Centric Identity	Center for Democracy & Technology	11/2009 Version 1	http://www.cdt.org/files...CI.pdf Defines "user-centric id
16	Identity in the Age of Cloud Computing: The next-generation Internet's impact on business, governance and social interaction	J.D. Lasica	2009	http://www.aspeninstitu...cloud-computing-next-...business-governance-sc General definitions scar
17	Lexicon from IdCommons	IdCommons	Printed 01/19/10	http://wiki.idcommons... Wiki-glossary of gener
18	ABA Identity Management Services Agreement	American Bar Association, Section of Business Law, Federated Identity Management Legal Task Force	4/7/09	Not available online. Sample agreement betw "credential service prov
19	Oasis: Glossary for the OASIS Security Assertion Markup Language (SAML) V2.0	Oasis		http://docs.oasis-open.c...glossary-2.0-os.pdf Technical glossary with
20	Liberty Alliance Privacy and Security Best Practices	Liberty Alliance Project	2003	http://www.projectliber...ers/liberty_alliance_pri.../ Liberty-specific genera
21	Liberty Glossary v.2.0	Liberty Alliance Project		http://www.projectliber...ons/liberty_alliance_sp

	DOCUMENT NAME	AUTHOR	DATE	WEB ADDRESS
				and utility schema file Technical glossary.
22	Liberty Identity Assurance Framework	Liberty Alliance Project		http://www.projectliberty.org/315/28869/file/liberty-identity-assurance-framework-v1.1.pdf Technical and general glossary
23	Public Key Infrastructure (PKI) Assessment Guidelines	American Bar Association, Information Security Committee	6/18/01	http://www.abanet.org/pki/glossary/ Comprehensive glossary
24	ITU			 SC27N8075_Att1_Draft_Rec_X_1252_LSC

Supplemental Index as of 6/7/10

	DOCUMENT NAME	AUTHOR	DATE	WEB ADDRESS
25	RFID Application Privacy Impact Assessment Framework	European Commission	Nov. 30, XXXX	No website
26	ITU-T X.1252 Baseline Identity Management Terms and Definitions	International Telecommunication Union (ITU)	Apr. 2010	No website
27	Recommendation X.1252: Baseline Identity Management Terms and Definitions	International Telecommunication Union (ITU)	Apr. 2010	No website
28	Draft Recommendation X.1252: Baseline Identity Management Terms and Definitions	International Telecommunication Union (ITU)	Sept. 2009	No website
29	Draft Recommendation ITU-T X.1275, Criteria for assessing the level of protection for personally identifiable information in IdM	International Telecommunication Union (ITU)	Sept. 2009	No website
30	Draft Recommendation ITU-T X.1275, Guideline on Protection of personally identifiable information in the application of RFID technology	International Telecommunication Union (ITU)	Apr. 2010	No website
31	Generally Accepted Privacy Principles: a	American		http://www.aicpa.org/IT

	DOCUMENT NAME	AUTHOR	DATE	WEB ADDRESS
	Global Privacy Network	Institute for Certified Public Accountants		gy/Resources/Privacy/Ces/GenerallyAcceptedPs/Appendix%20A%20C
32	Glossary of Terms	Information Commissioner's Office (UK)		http://www.ico.gov.uk/ x
33	2006 Identity Fraud Survey Report	Javelin Strategy and Research		
34	Identity Management Terminology	Hitachi ID Systems, Inc. (formerly MTech, Inc.)	(website is © 2010 but no publ. date)	http://access-certifier.hi.com/identity-management-terminology/
35	Federal Information Processing Standards Publication – Personal Identity Verification (PIV) of Federal Employees and Contractors	National Institute of Standards and Technology (NIST)	May 2006	http://csrc.nist.gov/publications/nistir-7298-rev1_glossary/1-chng1.pdf
36	Glossary of Key Information Security Terms	National Institute of Standards and Technology (NIST)	May 2010	http://csrc.nist.gov/publications/nistir-7298-rev1_glossary/