



Dear Broker,

This letter includes important information about your relationship with Regional MLS of Minnesota, Inc. (RMLS). ***You must take action by July 31, 2014, or your office or firm's access to RMLS will terminate.***

[This link](#) takes you to a new Participant Agreement between your firm and RMLS. This new agreement revises the previous version, mostly through a number of technical and housekeeping changes. Contact us if you have questions, though we advise you to have your lawyer review any agreement before signing.

One important set of changes addresses technical details relating to the copyrights in original data content in listings of brokers participating in RMLS, and it requires you to make a choice. Our goal with these changes is four-fold:

1. Ensure that listing broker participants in RMLS have the right to use the listing content relating to their own listings any way they want.
2. Ensure that RMLS can license participants' listing data content to other participants for uses consistent with the MLS rules.
3. Ensure that listing broker participants in RMLS have the right to prevent others from using their listing data content without permission.
4. Ensure that RMLS can act as a central repository for, and enforcer of, legal rights in the listing data content under the copyright laws.

RMLS has never interfered with listing brokers using their own listings or sending them to third parties, and we never will. Of course, RMLS does reserve the right to license data content relating to your firm's listings to RMLS's other subscribers for use in core MLS practices, like selling your listings and using them for CMAs; and for other services to which you consent, like Broker Reciprocity.

In recent years, RMLS has also taken responsibility for registering copyrights in MLS data content and for pursuing data pirates, in one case by bringing costly copyright litigation against a national website. It is generally not cost-effective for brokers to handle these issues on their own. This new participant agreement is designed to enhance RMLS's ability to continue serving in that role.

But you have a choice to make. As a participant, you can have RMLS play that role of repository and enforcer with regard to data content in your listings, but for us to do so, we need to obtain copyright ownership of the listing data content. Option I in Section 21 of the Participant Agreement does that, having the following effects:

1. Your associates transfer their copyright ownership in data content for your listings to RMLS. Your listing agents who take the pictures and write the remarks on your

firm's listings generally own the copyrights in that data content unless you have a written agreement with them assigning it to you.

2. RMLS grants a wide-ranging license to your firm to use that listing data content in any way you choose.
3. RMLS registers copyrights in the listing data content and makes efforts to enforce the copyrights. As the owner of the copyrights, RMLS is the only entity that can sue to enforce them.

If you would rather not have the copyright ownership transferred to RMLS, you can choose Option II in Section 21 In that case:

1. RMLS will not obtain copyright ownership in data content relating to your listings from your associates. You may be able to do so by separate agreement with them.
2. RMLS will not register copyrights relating to data content in your listings. You may be able to make quarterly registrations at your own expense.
3. RMLS will make no effort to enforce copyrights in data content in your listings against third-party infringers.

Whether you choose Option I or Option II, RMLS always agrees not to license your listing data content to parties outside of RMLS's participants without your consent.

But you must choose. RMLS must receive your new, signed Participant Agreement by July 31, 2014, or your firm or office will no longer have access to RMLS services. And in order for your new Participant Agreement to be effective, you must choose Option I or Option II in Section 21.

Your options to complete and submit the Agreement are:

1. Go to Instanet Forms and complete the Broker Participant Agreement form located in the NorthstarMLS folder. Fill out all three parts [as described here](#). You can use Authentisign to electronically sign the form and send to NorthstarMLS at agreements@northstarmls.com.
2. Download the form from our Website [through this this link](#). Fill out all three parts [as described here](#). Email the completed and signed form to agreements@northstarmls.com or fax it to 651-251-3249.

RMLS is confident that this new Participant Agreement clarifies the rights and responsibilities of everyone involved with MLS. If you have any questions about the new Participant Agreement before you sign it, contact me at 651-251-3200.

Thank you for your attention to this matter.

Yours truly,

John Mosey

President & CEO