





September 26, 2023

RE: BIMForum Global Correction to Pennsylvania BIMForum September 10th Original Content Statement

BIMForum Global is correcting statements in a September 10th announcement by the Pennsylvania BIMForum ("Penn-BF"): The Statement references BIMForum Global (BFG) which is a subforum of Ascend Building Knowledge Foundation (Ascend), a 501c3 non-profit that began in 2017, more than two years before Penn-BF began operations.

For proper context, this statement was posted by one of the Penn-BF board members after two of its board members abruptly resigned last December and a third in January of this year. Ascend/BFG wants to make clear that the owners of notable portions of prior LOD Specification content have approached and licensed their content to Ascend/BFG so that their work may continue and remain in *a freely distributed LOD Specification that is maintained and updated every year*. Several of the LOD Spec content owners and copyright holders of the original graphics have expressed respectfully to us their loss of confidence in Penn-BF's focus, resources, and ability to maintain and expand the LOD work moving forward. This is evidenced by Penn-BF not publishing any new LOD Specification last year.

Ascend/BFG holds the seven (7) remaining Penn-BF board members in high regard as recognized leaders in AEC & BIM, holds no animosity, and is open to working with them in the future. However, we respectfully do not need their 'permission' to honor the wishes of the LOD Specification content owners and copyright holders who have independently approached Ascend/BFG to continue to publish, expand and educate on their LOD work. While this summary addresses the Penn-BF claims, we will provide exhibits, citations, and references for those who seek more details on our website in our <u>FAQ section</u> related to this response. It is important to note the following:

- Penn-BF's own current and latest 2021 LOD Specification ("2021 LOD Spec"), page 4, first paragraph states: "Graphics are the property and copyright of the creator and used with permission for <u>this edition</u> of this document [Penn-BF 2021 LOD Spec.] unless noted otherwise. The owner, creator and copyright holder of graphics are as follows in this text: Ascend Building Knowledge Foundation are noted as 'From AscendBKF.org", <u>No derivatives of the graphics may</u> <u>be made without the creators express written permission.</u>" Underline added for emphasis.
- 2. Penn-BF acknowledges that it owns few if any of the 294 graphics in its current 2021 LOD Specification it published per its own citations in that document (reference item 1 above). Beyond the short phrases and utilitarian work elements which are not copyrightable, it is the graphics owned by others that the LOD Specifications are recognized for. This is the case both for Associated General Contractors (AGC) BIMForum 2013-2019 editions and Penn-BF 2020 & 2021 editions. It is some of the LOD graphics owners who have licensed approximately 270 of their graphics to Ascend/BFG to continue their LOD work.
- 3. At the time of writing, the Penn-BF has taken down access to its own current 2021 LOD Spec. that states the rightful copyright holders and content owners. Fortunately, because the 2021 LOD Spec. is permitted to be freely distributed, Ascend/BFG has provided the 2021 edition along with all other prior LOD Specifications from both Penn-BF (2020-2021) and AGC BIMForum (2013-2019) in their unaltered format as they were originally published (see <u>BIMForum.Global/LOD</u> in the reference section). *Readers are encouraged to read the copyright statement at the top of page 4 and review the graphics citations through the document to clearly recognize who the content owners are.*
- 4. Most of the cover graphics that the Penn-BF represent as its original content on its website associated with its September 10th announcement are owned by Ascend. Also, each of the covers Penn-BF shows as original content have Ascend's logo on the covers. Additionally, what is blurred out in Penn-BF's original content cover images is the text at the bottom of these covers that state **"Images courtesy of Ascend Building Knowledge Foundation, AscendBKF.org, Copyright 2020**".

We encourage all to review the cover and page 4 copyright statement of the 2021 LOD Specification Penn-BF shows as its original content, which clearly and properly shows the owners of the graphics as Ascend/BFG or others who have since licensed their content to Ascend/BFG. While Penn-BF continues to effectively conceal these publicly known and available facts by taking down its own current 2021 LOD Specification version on its website and posting blurred images of copyrights, anyone else who is interested may visit <u>BIMForum.Global/LOD</u> and scroll down to the reference section for past LOD Specifications that are reposted with permission under the free distribution license they were originally published under <u>or click on this link in the PDF</u>.

Please feel free to contact BIMForum Global (info@BIMForum.Global) with any questions.