Metadata Provision to be inserted in
ALJ Ground Rules

(1)   Metadata may generally be viewed as either system metadata, substantive metadata, or embedded metadata. System metadata is data that is automatically generated by a computer system. For example, system metadata often includes information such as the author, date and time of creation, and the date a document was modified. Substantive metadata is data that reflects the substantive changes made to the document by the user. For example, it may include the text of actual changes to a document. Embedded metadata means the text, numbers, content, data, or other information that is directly or indirectly inputted into a native file by a user and which is not typically visible to the user viewing the output display of the native file on screen or as a printout. Examples of embedded metadata include, but are not limited to, spreadsheet formulas (which display as the result of the formula operation), hidden columns, externally or internally linked files (e.g., sound files in PowerPoint presentations), references to external files and content (e.g., hyperlinks to HTML files or URLs), references and fields (e.g., the field codes for an auto-numbered document), and certain database information if the data is part of a database (e.g., a date field in a database will display as a formatted date, but its actual value is typically a long integer).

(2)   Metadata need not be routinely produced, except upon agreement of the requesting and producing parties, or upon a showing of good cause in a motion filed by the requesting party. Such motion should consider the applicable cost-benefit or cost-shifting factors of proposed Rule 19 C.F.R. § 210.27(c).