

## 27.401 Definitions.

As used in this subpart-

*Data* means recorded information, regardless of form or the media on which it *may* be recorded. The term includes *technical data* and *computer software*. The term does not include information incidental to contract administration, such as financial, administrative, cost or *pricing*, or management information.

*Form, fit, and function data* means *data* relating to items, *components*, or processes that are sufficient to enable physical and functional interchangeability, and *data* identifying source, size, configuration, mating and attachment characteristics, functional characteristics, and performance requirements. For *computer software* it means *data* identifying source, functional characteristics, and performance requirements, but specifically excludes the source code, algorithms, processes, formulas, and flow charts of the software.

*Limited rights* means the rights of the Government in *limited rights data* as set forth in a *Limited Rights Notice*.

*Limited rights data* means *data*, other than *computer software*, that embody trade secrets or are commercial or financial and confidential or privileged, to the extent that such *data* pertain to items, *components*, or processes developed at private expense, including minor modifications. (Agencies may, however, adopt the following *alternate* definition: *Limited rights data* means *data* (other than *computer software*) developed at private expense that embody trade secrets or are commercial or financial and confidential or privileged (see [27.404-2\(b\)](#)).

*Restricted computer software* means *computer software* developed at private expense and that is a trade secret, is commercial or financial and confidential or privileged, or is copyrighted *computer software*, including minor modifications of the *computer software*.

*Restricted rights* means the rights of the Government in *restricted computer software* as set forth in a *Restricted Rights Notice*.

*Unlimited rights* means the rights of the Government to use, disclose, reproduce, prepare derivative works, distribute copies to the public, and perform publicly and display publicly, in any manner and for any purpose, and to have or permit others to do so.

**Parent topic:** [Subpart 27.4 - Rights in Data and Copyrights](#)