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Committee Secretary
Parliamentary Joint Committee on Intelligence and Security
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Submission relating to the “Cyber Security Rules 2024”

Dear Committee

Thank you for the opportunity to provide input on this important work.

About Quokka

Quokka is a global organisation, headquartered in Silicon Valley, with roots in a US DARPA project, focusing on making mobile applications and smartphone safe to use in the US defence force. Among current customers we find the US Cybersecurity & Infrastructure Agency and the US Department of Homeland Security, and many others.

Scope of Submission

This submission from Quokka relates to “Part 2 – Security Standards for Smart Devices” of the “Cyber Security Rules 2024”.

Executive Summary

This submission argues that

- Using the terms **Device** and **Product** as interchangeable causes confusion since these terms are actually not synonymous.
- With both **Hardware** and **Software** covered by the standard, device specific software, even if implemented external to the device, such as a device specific **Companion App**, is covered by the standard.
- Given the above, a **Product** should be defined as the **Device plus** its **device specific External Software**, typically the Companion App.

The definition of the Product

Already in our first submission we argued that since the Bill was referring to the smart device as a **Product**, we find it fundamental now to the Rules to be clear on what defines a Product. And as we will argue again in this submission, the product is more than just the device.

The standard is covering both Hardware and Software, and the smart device is in most (all?) cases hardware, while the software usually resides both on the device and external to device.

In most cases this device external software is the Companion App used to address and control the device. This creates an opportunity to create a clear and logical definition of both Product and Device.

In our opinion the **Product** the consumer buys and/or uses, is **the combination of the Device and its device external software, most commonly a Companion App**.

In most cases, without the companion app, you don't really have usable product.

Conclusion

We welcome the clarifications made during the consultation process that device specific software is covered by the standard, even if implanted external to the device. This means that a device specific Companion App will be covered by standard, in line with our main argument in our first submission.

However, we still find it necessary to define what is meant by a Product, and what differentiates a Device from a Product. As outlined above, using the components of the standard that includes device, hardware, software (both device internal and device external), and product, there is an opportunity to create clarity by defining the product as the combination of the device plus its specific software, even if this software is not residing on the device.

Thank you for the continued opportunity to maintain an ongoing dialog on this topic, and we look forward to anyway we could be of further assistance.

Best Regards,

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