

IETF Trust Meeting
2012-09-06 -4 UTC / 11:45 EDT

Bernard Aboba [PRESENT]
Bob Hinden [PRESENT]
Dave Crocker [PRESENT]
Scott Bradner [PRESENT]
Lynn St. Amour [PRESENT]
Marshall Eubanks [ABSENT, Chair]
Ole Jacobsen [PRESENT]
Ray Pelletier [PRESENT]
Russ Housley [PRESENT]

Jewellee Dalrymple [SCRIBE]
Jorge Contreras [Guest, General Counsel to IETF Trust]

IETF Trust Agenda

- =====
1. Trust Grant of License to Modify RFC Text
 2. AOB

Bob called the meeting to order at 11:44 AM EDT.

1. Trust Grant of License to Modify RFC Text

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From Jorge:

ISSUE: The authors (of draft-ietf-codec-opus-16) want people to be able to incorporate all of their RFC text, both Code Components and other text, into software, and then to modify it.

AUTHOR PROPOSAL : Add this language to the RFC:

Section 10.

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PROBLEM: Authors retain the right to license their own

Contributions, but not the completed, formatted RFC document. Only the Trust holds the copyright in the RFC, and only the Trust can license the RFC. Thus, the proposed Author license to the RFC is not valid. However, the normal license granted by the Trust for non-IETF use under Section 3.c of the TLP does not allow derivative works.

PROPOSED SOLUTION: The Trust can grant derivative rights by placing a Trust-granted derivative license directly in the RFC (see proposed language below).

DISCUSSION: It would be possible to accomplish the same goal by either (a) having the authors grant derivative licenses to their contributions (but not the whole RFC) on their own web sites, or (b) having the Trust separately grant the requested derivative licenses after issuance of the RFC (which is usually how the Trust has granted requests to make derivatives). However, the Legal group felt that each of these approaches would make the public less likely to use and refer to the RFC, which would be undesirable from the IETF's standpoint. Thus, the proposed new RFC language would be "self-executing" in the RFC, and would encourage use of the RFC in software implementations. This being said, this approach, which has not been used recently (there may have been two instances prior to the adoption of RFC 5378) would create a precedent that might encourage others (particularly open source developers) to request similar licenses in their RFCs. The implications of such a trend should be considered.

NEW PROPOSED RFC LANGUAGE IN COPYRIGHT NOTICE SECTION (generally tracks language of Sec. 3(c) of TLP):

The licenses granted by the IETF Trust to this RFC under Section 3.c of the Trust Legal Provisions shall also include the right to extract text from Sections 1 through 8 and Appendix A and Appendix B of this RFC and create derivative works from these extracts, and to copy, publish, display and distribute such derivative works in any medium and for any purpose, provided that no such derivative work shall be presented, displayed or published in a manner that states or implies that it is part of this RFC or any other IETF Document.

This is a one-off as this has happened a few times in previous RFCs. The ability to do this was part of the discussion about the rights the authors give to the IETF. The conclusion was they should ask for the right to do derivative works in all cases, but

the default granting of permissions does not include rights outside the standards process and any handling of exceptions to that would be on a one-by-one basis. The Trust really doesn't want to encourage this, except we want to deal with it when an author is insistent on it.

Having a check list saying 'I want this' will tend to encourage that. In particular, the Trust would end up with a lot of problems with people demanding rights and changing the RFCs. If the Trust doesn't do this then the last Internet draft will grant people more rights than the RFC and people may use the Internet draft instead of the RFC because they will be able to get more rights by using that document; so it may be a horrible precedence to create a situation where the Internet draft is more valuable than the RFC.

Half of the RFC is source code and that's fairly unusual for an RFC. The precedence we're setting is that we're willing to give people permission to use extracted text from the RFC to use in documentation and this should be understood that this is a one-off. The code itself, even if the Trust did nothing, would be available anyway. The text surrounding the code is what is changing.

Before the Trust adopts something, it sends it to the community for comment. It was suggested that the language should say everything in Section 3.c "AND" also the right to extract text from sections 1-8 does not change the TLP - the Trust is just adding to it for this RFC; however, counsel suggested this wording is correct. It was again requested that the language go out to the community for comment by 20 September; although, this does violence as there are people waiting for this approval. It is a big step and the Trust is doing it quickly, but the IESG did discuss it so there is community support for allowing this kind of text in the RFC. It is also very good that the RFC editor caught it and have brought it to the Trust's attention.

Scott moved and Dave seconded the adoption of this new proposed RFC language in the copyright notice section.

Bernard Aboba [YES]
Bob Hinden [YES]
Dave Crocker [YES]
Scott Bradner [YES]
Lynn St. Amour [YES]

Ole Jacobsen [YES]
Ray Pelletier [NO]
Russ Housley [YES]

Ray objected based on the process and not the language. The motion carried.

2. AOB

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There was no additional business to discuss.

Bob adjourned the IAOC meeting at 12:03 pm EDT.