

Minutes of the meeting of the IETF Trust
2011-04-21 14:47 UTC (10:47 EDT)

Bernard Aboba	[NOT PRESENT]
Eric Burger	[NOT PRESENT]
Dave Crocker	[PRESENT]
Marshall Eubanks	[PRESENT, Chair]
Bob Hinden	[PRESENT]
Russ Housley	[PRESENT]
Ole Jacobsen	[PRESENT]
Ray Pelletier	[PRESENT, IAD]
Lynn St. Amour	[PRESENT]

David Kessens	[GUEST]
Andrew Sullivan	[SCRIBE]

Trust Agenda

1. Minutes
2011-03-30
2. Does Note Well need an Update
3. Email from Olaf Kolkman, Acting RSE

Marshall Eubanks called the meeting to order at 14:47 UTC (10:47 EDT).

1. Minutes

The minutes for 2011-03-30 had been reviewed on the list. There were some changes to be made. Bob Hinden moved they be adopted so amended. Ray Pelletier seconded. There was no objection, and the minutes so amended were adopted.

Marshall noted that additional scribes are needed, and took it as a joint action for the Trust and the IAOC.

2. Does the Note Well statement need an update?

Ray provided some background. The issue was that RFC 5378 specifically includes BOFs in IETF activities covered by the IETF disclosure rules, but the usual Note Well statement at the URL and the Secretariat's standard slide text does not. The latter text is also distributed to mailing lists. Counsel is reported to think the change is needed.

Several people argued that BOFs are certainly covered by the Note Well language. There was discussion about whether "Bar BOFs" are covered, without clear agreement.

The specific request from counsel was that BOF sessions be listed explicitly in the Note Well statements widely disseminated. Marshall Eubanks suggested that the only thing needed to do is to ensure that the Note Well text be altered to match RFC 5378. There was consensus that this was a simple administrative function, and not a matter for explicit Trust action.

Ray would take responsibility for amending the Note Wells.

3. The Acting RSE asked for a clarification.

RFC 5728 contains two Trust Legal Provisions (TLP) derivative work clauses, 6.c.i and 6.c.iii. The Acting RSE requested to clarify whether the following statements are all true:

- 6.c.i is a stronger limitation than 6.c.iii, and if 6.c.i is included in a document, 6.c.iii is not needed.
- If a document has the 6.c.ii clause on it, it should not go to the RFC Editor at all.
- Non-IETF stream documents should never contain 6.c.iii, for consistency with TLP article 8.d.

The request required considerable deliberation about RFC 5728. On its face, the situation is self-contradictory.

There appeared to be general agreement that the document does not grant change control to the IETF. The document cannot be used inside the standards process because it cannot be used to create derivative works. This means that if anyone attempted to use any of the text in RFC 5728 in another RFC, it would be a violation (of copyright).

There was considerable discussion about whether this alters the TLP. People seemed initially to be unsure, but as the case was examined more the answer seemed to be "no".

RFC 5728 also says that the MIB contained in the document is itself published under the BSD license.

There was general agreement that the final TLP paragraph was not needed in the document, and that it is nonsensical to have TLP 6.c.iii in a document with 6.c.i. At the same time, it appears to do no harm to have 6.c.iii in this case, because of the constraint imposed by 6.c.i. There was a suggestion that the RFC Editor should raise the issue of possibly conflicting boilerplate in future, but it appeared to be generally agreed that RFC 5728 did not need to be revised to address this issue.

It was noted that the final version of the Internet-Draft that resulted in RFC 5728 had only the "no derivative" clause, and that the final paragraph (which inspired the question) seems to have been added later.

ACTION: Marshall Eubanks was to prepare a response and circulate.