

# Including text under former copyright conditions

draft-carpenter-5378-old-text-01

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# Assumptions for this draft

- Only addressing the fact that RFC5378 is not retroactive.
  - IPR WG overlooked a painful side-effect.
  - No change to traditional assumptions about RFC re-use.
- This only matters when earlier contributors have not agreed to RFC5378 conditions.
  - Typical case: a *bis* document where the original authors are no longer active in the IETF.
- Aimed to keep the solution as simple as possible, especially for authors.
  - This is a separate draft BCP that updates RFC5378.

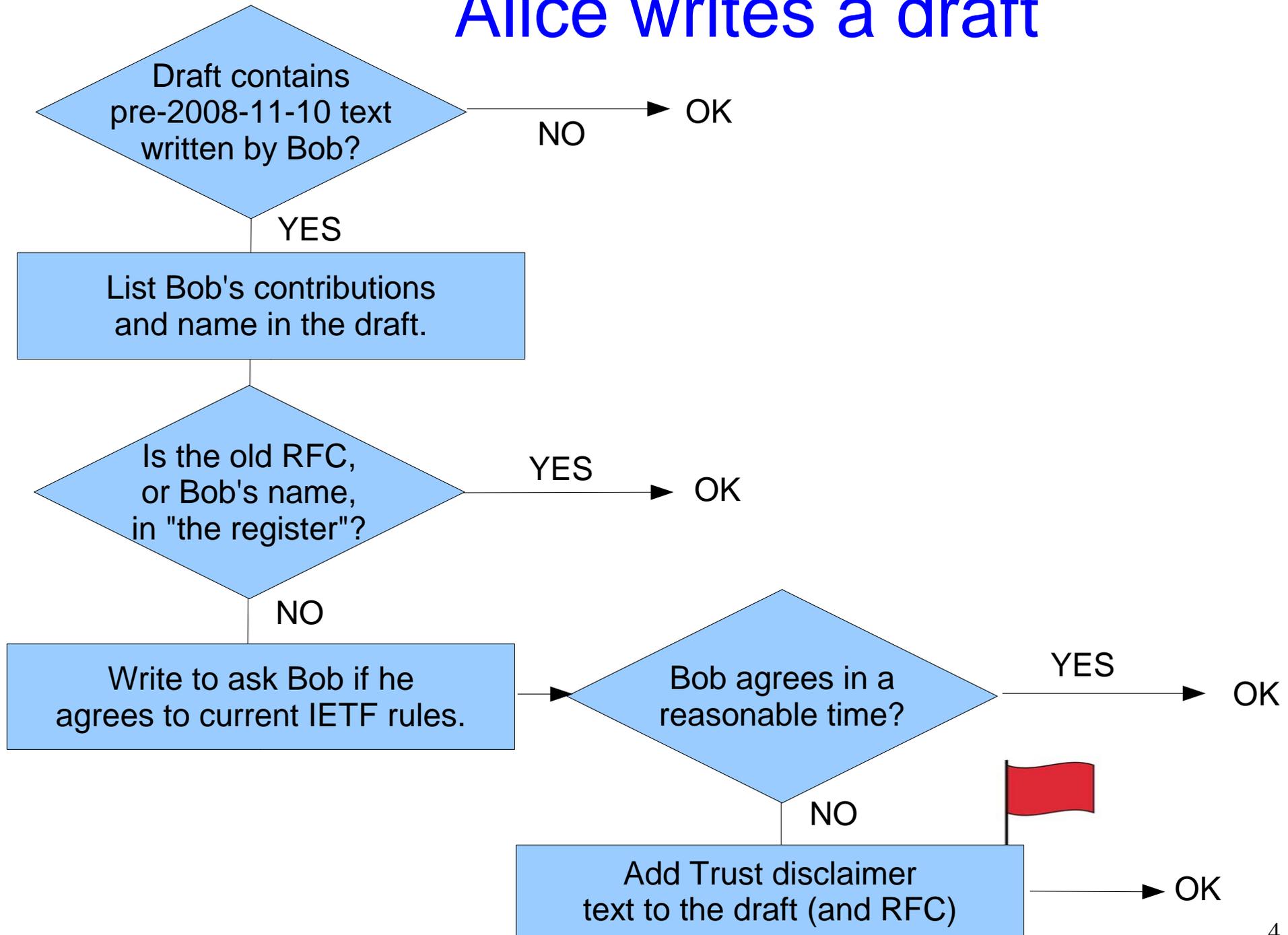
All we need to say...



**Here be  
dragons**

A "dragon" is text contributed before 2008-11-10 by someone who is not an author of the document in question, AND has not agreed to the new IETF rules.

# Alice writes a draft



# Formal rules (new) (1)

- Contributors of Internet-Drafts that contain substantial text originally contributed to the IETF by other persons prior to RFC 5378 must:
  - identify the source of that text
  - (with help) make reasonable efforts to obtain or verify the agreement of the original contributors to their text being contributed under the terms of RFC 5378
  - if such agreement cannot be obtained within a reasonable time, instead include a special disclaimer in the Internet-Draft.
  - always include acknowledgement and precise citation of the contributions concerned. If the disclaimer is included, the acknowledgement should also identify which previous contributors contributed which text, unless the text concerned is scattered throughout the document.

## Formal rules (new) (2)

- Before approving such a document , the IESG must be satisfied that reasonable effort has been made to obtain the necessary rights.
  - If such is the case, the resulting RFC, and any IETF Last Call message concerning the document, must contain the special disclaimer and acknowledgement defined above.
- The IESG and the IETF Trust must provide a public register of
  - documents prior to RFC 5378 for which the rights required by RFC 5378 have been provided retroactively;
  - rights holders who have retroactively provided such rights for all their IETF contributions prior to RFC 5378.

# Frequently Asked Questions

- What if we don't know where text comes from?
  - The editor knows where he copies from. S/he might be the only one who can know.
  - Only most recent source needs identification
- What's “reasonable effort”?
  - Email to contact address listed in contribution. More work voluntary.
- Who does the effort?
  - Anyone in the team (WG chair, WG member, friend, editor, others) can do so
- How do we document permission?
  - Forward the communication to “the register”

# Questions?

1. Is it OK to simply ignore the issue for substantial contributions of unknown or forgotten origin? Or should they get an automatic red flag?
2. Is it reasonable to require this much reasonable effort, or should the “ask Bob” step be optional (must, should or may?).
- 3.
- 4.
- 5.