

# IETF Trust Chair Report

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IETF Trust Chair

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# IETF Trust Issues: Subpoenas and legal requests



- Microsoft Corporation v. VirnetX Inc. (received November 2014)
- Ericsson Inc. v. Intellectual Ventures I LLC (received November 2014)
- Genband US v. Metaswitch Networks (received March 2015)
- Details: <http://iaoc.ietf.org/subpoenas.html>

# Lawsuit filed against IETF among others



- Glassey v. Microsemi Inc - ISOC, IETF, ICANN, et al (received September 2014)
  - The Trust had received a legal complaint by Todd Glassey, that names ISOC/IETF/ICANN as defendants (among other entities, including the U.S. Government)
  - Attorneys have advised that ISOC and the IETF management (IAB, IESG, IAOC) not engage in any dialogue on this topic while the case is active.
  - On Oct-30 judge issued an order striking the complaint.
  - The current status of the complaint is closed, but the plaintiff has made further legal attempts to re-open the case or change the court.

# Statement from the IETF Trust on holding IP rights related to IANA



- The IETF Trust approved to make the following statement:
  - In accordance with Article 5.2 of the Trust Agreement the IETF Trust would be willing to hold intellectual property rights relating to the IANA function, including the IANA trademark and the IANA.ORG domain name.
- Background:
  - In response to the question from the ICG to the IANAPLAN WG the IETF Chair on Feb-17 asked the IETF Trust its opinion on whether it would be willing to hold intellectual property rights relating to the IANA function, including the IANA trademark and the IANA.ORG domain name.

# Trust Legal Provision update

- Trust Legal Provisions update to version 5.0:
  - Small update addition of item #9 to the TLP to allow the use of templates in the future.
  - Community input request sent out on Jan-27, closed on Feb-25. Legal reviews
  - Changes approved by Trustees and TLP updated on March-25 at <http://trustee.ietf.org/docs/IETF-Trust-License-Policy.pdf>
- Background:
  - The Trust had been requested by the IESG and RFC Editor to provide a license in cases where RFCs contain Templates.
  - RFCs are published that include portions that are meant to be extracted and edited (“Templates”). Under the normal TLP provisions this would be considered a derivative work and would require a special vote of the Trust or approval of all of the authors on a case by case basis.

# Backup Information



# What is the IETF Trust ?

- The IETF Trust was founded by CNRI and the Internet Society (AKA the Settlers).
  - <http://iaoc.ietf.org/docs/IETF-Trust-Agreement-Executed-12-15-05.pdf>
  - Also see BCP 78 / RFC 5378.
- It exists to hold intellectual and other property of the IETF “for the advancement of the science and technology associated with the Internet and related technology.”
- It has a legal existence as a Trust in the Commonwealth of Virginia.
- There are 9 Trustees, the members of the IAOC.
- The Trustees have a fiduciary duty to protect the IETF’s property!

# The IETF Trust Legal Provisions

- The IETF Trust is currently operating under Trust Legal Provisions (TLP) 5.0.
  - Effective Date: March 25, 2015
- These can be found at  
<http://trustee.ietf.org/docs/IETF-Trust-License-Policy.pdf>

# Trust Legal Provisions update (backup information)



## 9. Template Text

- a. Certain RFCs may contain text designated as “Template Text” by the inclusion of the following legend in the introduction to the RFC: “This RFC contains text intended for use as a template as designated below by the markers <BEGIN TEMPLATE TEXT> and <END TEMPLATE TEXT> or other clear designation. Such Template Text is subject to the provisions of Section 9(b) of the Trust Legal Provisions.”
- b. In addition to the other rights granted under the TLP with respect to each RFC, the Trust grants to all interested persons a non-exclusive, royalty-free, worldwide, perpetual right and license under all copyrights and rights of authors to insert specific information in place of blanks or place-holders in the Template Text, and to reproduce, publish and distribute the Template Text combined with such insertions.