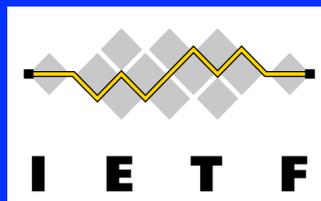


Internet Engineering Task Force

IETF

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IPR-1

IETF

- ◆ does not exist
 - Internet Society (ISOC) activity
- ◆ no members
- ◆ individual attendees not corporate members
- ◆ open meetings, mailing lists & documents
- ◆ “rough consensus & running code”
- ◆ standards process (including IPR) in RFC 2026
 - revised version published in October 1996
 - revised from earlier version (RFC 1602) - 1994

IPR-2

IETF Standards process

- ◆ Internet Drafts
 - working documents
 - anyone can submit
 - required IPR statement
 - 1/ agree to IPR statements in RFC 2026
 - 2/ above but no derivative works
 - 3/ only publish as Internet draft
- ◆ above tries to deal with formal assignment issue
- ◆ approved by “rough consensus” process

IPR-3

IETF Standards Process, contd.

- ◆ 3 stage process
 - Proposed Standard
 - looks good, no known problems
 - Draft Standard
 - multiple interoperable implementations
 - including all features
 - Internet Standard
 - above plus significant market acceptance
- ◆ published as RFCs
 - never changed after published
 - copyright ISOC

IPR-4

Copyright

- ◆ done through ID boilerplate
- ◆ must give ISOC right to publish and anyone else if just publishing RFC
author can not later say “no”
- ◆ standards track must give right for derivative works within IETF (info does not)
- ◆ give right to translate
- ◆ author retains all other rights
- ◆ about to add new notices for IPR/copyright in meetings & mailing lists

IPR- 5

Patent Issues

- ◆ IPR must be stated or individual can not participate in discussions
- ◆ request that IPR statements be sent to IETF
put on-line
non-specific notice of IPR put into RFC
- ◆ if notified IETF sec requests statement of fair & non-discriminatory licensing
but does not hang the process if not received

IPR- 6

More Patents

- ◆ working group decides if patented technology is the “right” technology
- ◆ Draft Standard requires that there be multiple exercises of any required licenses
 - i.e. market place determination of fairness
 - not IETF or IESG
- ◆ note: much of IPR is from companies not involved in IETF
 - can not have agreements as a condition of participation
- ◆ note 2: IPR notice can come long after standard done

IPR- 7

Change Control

- ◆ company can donate technology to IETF
 - “change control”
- ◆ Sun & IBM have done so
- ◆ normally grant is specific to a particular IETF standard
- ◆ some have time limit by when a Proposed Standard must be done
 - no limit for Draft or Internet Standard

IPR- 8

Problems

- ◆ have been burnt
- ◆ old process required license & fairness statements
- ◆ process hung in some cases
 - IPR claims - most legit
- ◆ RFC 2026 is new process
- ◆ submarine patents :-(
- ◆ careful ignorance in some people
- ◆ companies not involved in IETF
- ◆ lawyers with nothing else to do
 - finding issues with RFC 2026

IPR- 9