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## Procedures for Rights Handling in the RFC Independent Submission Stream

### Abstract

This document specifies the procedures by which authors of RFC Independent Submission documents grant the community "incoming" rights for copying and using the text. It also specifies the "outgoing" rights the community grants to readers and users of those documents, and it requests that the IETF Trust manage the outgoing rights to effect this result.

### Status of This Memo

This memo provides information for the Internet community. It does not specify an Internet standard of any kind. Distribution of this memo is unlimited.

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## 1. Introduction

As the IETF has grown, the process and the community have gotten more careful about defining the rights relating to copying documents that are granted by authors to the community, and the corresponding rights that are granted by the community to readers and users of these documents.

This document defines the copyright procedures for RFC Independent Submission documents. It parallels the procedures for IETF-produced documents defined in [RFC5377] and [RFC5378].

In summary, submissions in the Independent Submission stream use the same submission procedures and mechanisms that are defined in RFC 5378, and hence require the same "incoming rights" as IETF-stream documents. This document provides advice to the Trustees of the IETF Trust on "outgoing" rights to be granted to readers and users of Independent Submission documents, and it explicitly requests the IETF Trust to manage the rights in accordance with this advice.

This document also specifies the policies regarding the disclosure of Patents and Trademarks that may be relevant to a submission intended for the Independent Submission stream.

## 2. Background

The concept of RFC streams in general, and the Independent Submission stream in particular, are described in Section 5 of [RFC4844] and in RFC 4846 [RFC4846]. In general terms, the Independent Submission stream continues the long-established tradition in the Internet community of allowing and encouraging the RFC Editor to publish documents that are relevant to the community but are not products of, and do not conflict with, the IETF process. These may be comments on

IETF documents or they may be other work relevant to the Internet that, historically, the RFC Editor has chosen to publish.

With the publication of [RFC5620], the IETF began a process shift in which the responsibility for Independent Submission stream publication will move to an individual designated by the IAB as the Independent Submission Editor (ISE).

Section 8 of RFC 4846 presented the copyright rules for the Independent Submission stream. The present document is intended to be fully consistent with that section and to update it by clarifying the formal procedures that the IETF Trust will use to effect those rules.

### 3. Goals

The goal of the RFC Independent Submission stream is to publish information that is intended to advance the state of the art and the interoperability of solutions for use in conjunction with the Internet. As specified in Section 8 of RFC 4846, the community has determined that this objective will best be met with a liberal copyright policy on Independent Submission documents. Therefore, the Independent Submission policy is to allow any individual reading such documents to use the content thereof in any manner. The only restriction is that proper credit ("attribution") must be given. Lawyers describe this liberal policy by saying that this stream normally permits "unlimited derivative works". (It should be noted that this liberal policy was always followed by the original RFC Editor, Jon Postel; in a sense, the present document is a formalization of a 30-year-old policy on RFC copyrights.)

However, for a small subset of documents published as Independent Submissions, it is not reasonable to permit unlimited derivative works. Examples are proprietary protocols and output from other standards bodies. In such cases, authors are permitted to request that the published Independent Submission documents permit no derivative works.

Note also that this unlimited derivative works policy applies to all parts of an Independent Submission document, including any code. Therefore, no separate licensing procedure is required for extracting and adapting code that is contained in an Independent Submission document submitted under the (preferred) unlimited derivative works terms. On the other hand, code may not be extracted and adapted from Independent Submission documents submitted under the no derivative works terms.

#### 4. Rules for Submission and Use of Material

Independent Submission authors will submit their material as Internet-Drafts. These drafts will be submitted to, and stored in, the IETF Internet-Drafts repository in the same fashion as IETF Internet-Drafts.

During Internet-Draft submission, authors who intend to submit their document for publication in the Independent Submission stream will grant rights as described in [RFC5378]. To request that the contribution be published as an RFC that permits no derivative works, an author may use the form specified for use with RFC 5378.

The IETF Trust will indicate that, in cooperation with the Independent Submission Editor, the Trust grants to readers and users of material from Independent Submission documents the right to make unlimited derivative works, unless the document specifies that no derivative works are permitted. This will permit anyone to copy, extract, modify, or otherwise use material from Independent Submission documents as long as suitable attribution is given.

Contributors of Internet-Drafts intended for the Independent Submission stream will include suitable boilerplate defined by the IETF Trust. This boilerplate shall indicate compliance with RFC 5378 and shall explicitly indicate either that no derivative works can be based on the contribution or, as is preferred, that unlimited derivative works may be crafted from the contribution.

It should be understood that the final publication decision for the Independent Submission stream rests with the Independent Submission Editor (ISE). Compliance with these terms is not a guarantee of publication. In particular, the ISE may question the appropriateness of a "no derivative works" restriction requested by an author. The appropriateness of such usage must be negotiated among the authors and the ISE.

#### 5. Procedures Requested of the IETF Trust

The Independent Submission Editor requests that the IETF Trust and its Trustees assist in meeting the goals and procedures set forth in this document.

The Trustees are requested to publicly confirm their willingness and ability to accept responsibility for the Intellectual Property Rights for the Independent Submission stream. They are also requested to indicate their willingness and intent to work according to the procedures and goals defined by the ISE.

Specifically, the Trustees are asked to develop the necessary boilerplate to enable the suitable marking of documents so that the IETF Trust receives the rights as specified in RFC 5378. These procedures need to also allow documents to grant either no rights to make derivative works or, preferentially, the right to make unlimited derivative works from the documents. It is left to the Trust to specify exactly how this shall be clearly indicated in each document.

## 6. Patent and Trademark Rules for the Independent Submission Stream

As specified above, contributors of documents for the Independent Submission stream are expected to use the IETF Internet-Draft process, complying therein with the rules specified in the latest version of BCP 9, whose version at the time of writing was [RFC2026]. This includes the disclosure of Patent and Trademark issues that are known, or can be reasonably expected to be known, by the contributor.

Disclosure of license terms for patents is also requested, as specified in the most recent version of BCP 79. The version of BCP 79 at the time of this writing was [RFC3979], updated by [RFC4879]. The Independent Submission stream has chosen to use the IETF's IPR disclosure mechanism, [www.ietf.org/ipr/](http://www.ietf.org/ipr/), for this purpose. The Independent Submission Editor would prefer the most liberal terms possible be made available for specifications published as Independent Submission documents. Terms that do not require fees or licensing are preferable. Non-discriminatory terms are strongly preferred over those that discriminate among users. However, although disclosure is required, there are no specific requirements on the licensing terms for intellectual property related to Independent Submission publication.

## 7. Security Considerations

The integrity and quality of the Independent Submission stream are the responsibility of the Independent Submission Editor. This document does not change those responsibilities.

## 8. References

### 8.1. Normative References

- [RFC2026] Bradner, S., "The Internet Standards Process -- Revision 3", BCP 9, RFC 2026, October 1996.
- [RFC3979] Bradner, S., "Intellectual Property Rights in IETF Technology", BCP 79, RFC 3979, March 2005.

- [RFC4844] Daigle, L. and Internet Architecture Board, "The RFC Series and RFC Editor", RFC 4844, July 2007.
- [RFC4846] Klensin, J. and D. Thaler, "Independent Submissions to the RFC Editor", RFC 4846, July 2007.
- [RFC4879] Narten, T., "Clarification of the Third Party Disclosure Procedure in RFC 3979", BCP 79, RFC 4879, April 2007.
- [RFC5378] Bradner, S. and J. Contreras, "Rights Contributors Provide to the IETF Trust", BCP 78, RFC 5378, November 2008.
- [RFC5620] Kolkman, O. and IAB, "RFC Editor Model (Version 1)", RFC 5620, August 2009.

## 8.2. Informative References

- [RFC5377] Halpern, J., "Advice to the Trustees of the IETF Trust on Rights to Be Granted in IETF Documents", RFC 5377, November 2008.

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