

# IETF Trust Report

## IETF 97, November 16, 2016

Tobias Gondrom  
IETF Trust Chair



# Trust & IANA IPR



The IETF Trust has executed the following agreements:

1. ICANN IANA IPR Assignment to the Trust
2. Community Agreements between Trust and Operational Communities – the IETF, the RIRs, and Names (ICANN)
3. Three License Agreements from Trust to ICANN for sublicensing to PTI

# IANA IPR – work in progress



- ICANN has submitted the documentation to the USPTO transferring the trademarks to the Trust
- The Trust is in discussions with a Registrar that is willing to enforce the Domain Registrar Requirements in the License Agreements
- Following concurrence of the agreement with ICANN the IANA domains will be transferred to the Trust

# Trust Finances



- The IETF Trust has received IRS approval of its 501(c)(3) status, dated 22 September 2016
- The IETF Trust bank account has been opened and is operational.

# Trust Financial Statements

## – September



<b>IETF Trust</b>						
<b>Statement of Activity</b>						
<b>For the Month Ending September 30, 2016</b>						
	<b>September Actuals</b>	<b>YTD Actual</b>	<b>YTD Budget</b>	<b>YTD Variance</b>	<b>Annual Budget</b>	
<b>Income</b>						
Contributions	\$ 11,084	\$ 57,416	\$ 40,239	\$ 17,177	\$ 53,655	
Miscellaneous	298	10,206	-	10,206	-	
<b>Total Income</b>	<b>11,382</b>	<b>67,622</b>	<b>40,239</b>	<b>27,383</b>	<b>53,655</b>	
<b>Expenses</b>						
Professional Services & Fees	10,750	27,652	18,747	(8,905)	25,000	
Insurance	632	10,431	9,117	(1,314)	12,155	
Registrations	-	4,958	-	(4,958)		
Other Filings		23,816	-	(23,816)		
Administrative Expenses		765	12,375	11,610	16,500	
<b>Total Trust Expenses</b>	<b>\$ 11,382</b>	<b>\$ 67,622</b>	<b>\$ 40,239</b>	<b>\$ (27,383)</b>	<b>\$ 53,655</b>	
<b>Net Surplus/(Deficit)</b>	<b>-</b>	<b>(0)</b>	<b>-</b>	<b>(0)</b>	<b>-</b>	
Contributions – ISOC						
Miscellaneous – Fees for document authentications from subpoenas, legal requests						
Professional Services – legal expenses						
Other Filings – 501c3 expenses (not included in 2016 Budget)						
Administrative – storage, etc. (Budget anticipated 501c3 costs in this line item)						

# Trust Year-End-Forecast



IETF Trust Statement of Activity Year End Forecast 30 Sept 16					
	MAY YEF	AUG YEF	SEPT YEF	Annual Budget	Variance
<b>Income</b>					
Contributions	\$60,000	\$ 60,164	\$ 80,000	\$ 53,655	\$ 26,345
Miscellaneous	\$9,300	9,908	\$ 10,206	-	\$ 10,206
<b>Total Income</b>	<b>\$69,300</b>	<b>70,072</b>	<b>90,206</b>	<b>53,655</b>	<b>36,551</b>
<b>Expenses</b>					
Professional Services & Fees	\$35,579	47,892	45,902	25,000	
Insurance	\$6,952	12,327	12,327	12,155	
Registrations		4,958	4,958		
Other Filings	\$20,082	20,658	23,816		
Administrative Expenses	\$1,389	2,765	1,765	16,500	
<b>Total Trust Expenses</b>	<b>\$64,002</b>	<b>\$ 88,600</b>	<b>\$ 88,768</b>	<b>\$ 53,655</b>	<b>\$ 35,113</b>
<b>Net Surplus/(Deficit)</b>	<b>\$5,298</b>	<b>(18,528)</b>	<b>1,438</b>	<b>-</b>	<b>1,438</b>
Note: Contributions for Oct - Dec reflect \$20,000 additional contribution commitment from the Internet Society					

Contributions – ISOC

Miscellaneous – Fees for document authentications from subpoenas, legal requests

Professional Services – legal expenses

Other Filings – 501c3 expenses (not included in 2016 Budget)

Administrative – storage, etc. (Budget anticipated 501c3 costs in this line item)

**Any Questions?**

# Backup Material



# The IETF Trust



- The IETF Trust was formed on 2005-Dec-15.
- It has a legal existence as a Trust in the Commonwealth of Virginia.
- It exists to hold intellectual and other property of the IETF.
  - The purposes of the trust include the advancement of educational and public interest by acquiring, holding, maintaining and licensing certain existing and future intellectual property and other property used in connection with the Internet standards process and its administration, for the advancement of the science and technology associated with the Internet and related technology.
  - The Beneficiary of the Trust shall be the IETF as a whole
  - The Trust Assets shall be used solely in furtherance of the Purpose
- More detailed info is available at <https://trustee.ietf.org/>
- Also see RFC4371 and RFC5378

# Current Trustees of the IETF Trust



- There are currently 9 Trustees, all of whom are members of the IAOC.
- The Trustees have a fiduciary duty to protect the IETF's property!
- Current Trustees:
  - Jari Arkko
  - Lou Berger
  - Kathy Brown
  - Leslie Daigle
  - Tobias Gondrom (Chair)
  - John Levine
  - Ray Pelletier
  - Benson Schliesser
  - Andrew Sullivan

# Trust Legal Provisions (TLP)

- The TLP describes the rights and licenses that the IETF Trust grants to others with respect to IETF Contributions and IETF Documents; as well as certain restrictions, limitations and notices relating to IETF Documents.
- TLP version 5.0 is current:  
<http://trustee.ietf.org/license-info/IETF-TLP-5.htm>

# Subpoenas and Legal Requests



- The IAOC Legal Committee has concluded that we should not respond to Authentication Requests from anonymous requestors (i.e. via their counsel).
  - This enables us to report with transparency to the IETF community.
- In other respects, legal requests and responses have been proceeding as usual.
- For detailed updates & additional information see <http://iaoc.ietf.org/subpoenas.html>

# Lawsuit filed against IETF among others



- Glassey v. Microsemi Inc - ISOC, IETF, ICANN, et al (received 2014-Sep)
- Dismissed with Prejudice – 20 October 2016
- Much more information, including all detailed filings, is available at <http://iaoc.ietf.org/subpoenas.html>

# Records Retention Policy

- The IETF Trust reviews the Records Retention Policy annually and updates it as needed.
- This year the Trust plans to adopt an updated version of the policy, currently available for review at:
  - <http://trustee.ietf.org/documents/Trust-Records-Policy-2016-03-23-Clean.htm>



# IETF Trademark Usage

- The IETF Trust holds the trademarks associated with the name “IETF” and the IETF logo.
- Usage of these trademarks is often permitted when referring to the IETF factually, but licenses may be required for other cases.
  - See the FAQ at <http://trustee.ietf.org/ietf-logo-acronym.html>
- Derivative works are never permitted without a license from the IETF Trust.

**Trust Budget 2017 - 2019**

29-Sep-16	2017 Budget	2018 Advice	2019 Advice
<b>Operating Funds (Undesignated)</b>			
<b>Revenues</b>			
Contributions	\$ 63,600	\$ 64,510	\$ 63,563
Miscellaneous	2,500	1,500	1,500
<b>Total Revenues</b>	<b>\$ 66,100</b>	<b>\$ 66,010</b>	<b>\$ 65,063</b>
<b>Expenses</b>			
Professional Services & Fees	\$ 36,000	\$ 36,000	\$ 36,000
Legal Fees	35,000	35,000	35,000
IANA Transition	-	-	-
Monitoring	1,000	1,000	1,000
Insurance	13,000	13,650	14,333
Registrations	3,100	2,000	-
Other Filings	-	-	-
Administrative Services Agreement	12,000	12,360	12,731
Miscellaneous Expenses	2,000	2,000	2,000
<b>Total Expenses</b>	<b>\$ 66,100</b>	<b>\$ 66,010</b>	<b>\$ 65,063</b>
<b>Undesignated Surplus/(Deficit)</b>	-	-	-
<b>Trustee Designated Funds (Reserves)</b>			
Beginning Balance	\$ -	\$ 30,000	\$ 50,000
Contributions	30,000	20,000	10,000
Uses	-	-	-
<b>Ending Balance</b>	<b>\$ 30,000</b>	<b>\$ 50,000</b>	<b>\$ 60,000</b>
<b>Total Annual Funding Requirements</b>	<b>\$ 96,100</b>	<b>\$ 86,010</b>	<b>\$ 75,063</b>

**Notes**

Registration renewal 2018 is for IANA

Insurance 5% increase per year

Administrative Services Agreement 3% increase per year

Reserve contributions budgeted to build to a target of one year's expenses.

IETF Trust

