



CA/BROWSER FORUM

F2F meeting

The purpose of minutes and expectations from minute-takers

Past discussions

- June 2018 (management list)
- What are the two trends?
 1. Document every dialogue, attribute who is speaking and the exact phrases used (similar to “a transcript”)
 2. Be overly broad and just summarize the discussion

Current Policy

- IPR Policy 8.3d.
 - “Contribution” means material, including Draft Guidelines, Draft Guideline text, and modifications to other Contributions, made verbally or in a tangible form of expression (including in electronic media) that is provided by a Participant **in the process of developing a Draft Guideline for the purpose of incorporating such material into a Draft Guideline or a Final Guideline or Final Maintenance Guideline.** For a verbal contribution to be deemed a Contribution hereunder it must be memorialized within approved meeting minutes of the CAB Forum

Observations from Google (2018-06-15)

- “The need to attribute specific ideas and suggestions to specific people **is derived from the fact that our IP agreements are bound on attributing Contributions on the basis of the minutes.** For example, if we recorded that “It was suggested that validation should be done using Patented Method 123”, then based on our bylaws, the holder of Patented Method 123 could potentially exclude it. If it was recorded that “John Smith suggested validation should be done using Patented Method 123”, and John Smith holds that patent, then such exclusions would not be permitted.”

Observations from Apple (2018-06-15)

- “We spend a lot of time discussing procedural issues, who should be a CA/B Forum member, who needs to sign an IPR Agreement, what do the Bylaws mean, etc”
- None of this is done “for the purpose of incorporating such material into a Draft Guideline, etc.” so it doesn’t qualify as a Contribution. So none of that has to be memorialized in granular detail

Observations from Digicert (2018-06-15)

- “people need to be held accountable for their positions. If the Forum has continued to do something because so-and-so proposed it or does not do another thing because so-and-so opposed it, then they ought to be held accountable.”
- “So it seems we already implicitly agree that minutes are a summary and not a full transcript, and the question is just the level of detail that needs to be captured. And unfortunately right now that varies widely based on who happens to be taking notes.”

A balance?

- Minutes are not supposed to be "transcripts" but some dialogues that describe positions and different view points are helpful for readers, and **necessary** for IPR.
- Minute takers should be knowledgeable of the IPR Policy. They need to document more details "transcript-like" when they detect IP risks.
- If participating Members detect a potential IP risk in a discussion, they should raise a warning to the minute taker. When they review the draft Minutes, they should point out if something is missing.
- The quality of minutes will greatly improve if the **note takers request access and use the recordings**, for the benefit of the forum and the general public that reads our minutes.