**Operating Procedures for the Development
Of Open-IX Association American National Standards**

Open-IX Mission Statement

Open-IX, a nonprofit member-based organization, encourages the proliferation of interconnection by the development, implementation and certification of transparent technical and operating standards, to create more resilient and efficient global internet infrastructure.

Contents

1.0 Open-IX Standards and Document Development Process Fundamentals

1.1 Purpose

This document describes the Open-IX Operating Procedures and corollary Document Development Process (OIX DDP). Together, these processes include the process by which OIX's standards and best current operational practices (BCOPs) for the operation of the Internet, and connected networks, are developed, maintained and also documented by the Open-IX community, and are herein collectively referred to as the "OIX Operating Procedures" (or "Operating Procedures"). These Operating Procedures describe a standards development and documentation process that is open, transparent, balanced, bottom-up and on-going.

The OIX Operating Procedures are subject to the *ANSI Essential Requirements: Due Process Requirements for American National Standards* (the "Requirements").

The OIX Operating Procedures call for participation from the Open-IX community and encourage all members of the community to submit proposals for modifying the OIX standards and corollary documents. The Operating Procedures are designed to bring forth clear, technically sound, and useful network engineering standards and best practices, written for engineers, by engineers, among other members of the OIX community.   To accomplish this goal, OIX charges the respective Board-appointed committees as the primary facilitators of the Operating Procedures with respect to the standards, with appropriate checks and balances on the committees' performance in that role.

Section 1.0 of this document provides the underlying fundamentals upon which the Operating Procedures rest (including purpose, scope, principles, philosophy, and criteria for documents) and Section 3.0 describes the specific Document Development Process used for both creating and updating Open-IX documents.

1.2 Philosophy

All technology is and will be used and developed in a variety of ways with competing interests and agendas driving it forward. The Internet is the world's first, true global utility and in the spirit of the open standards surrounding its evolution, the Global Network Engineering Community (GNEC) has requested multiple times for there to be a synthesized documentation process to capture GNEC-driven Standards and best practices. These GNEC-driven documents are an open, transparent, bottom-up, on-going effort to help spread the unbiased working knowledge of the workings of the Internet and connected networks, at any given time, in the best possible way. The GNEC's philosophy towards this OIX DDP can be further described in the following way:

1.2.1 Free from Organizational Agendas

All documents shall be sourced from the network engineering community and developed in an open, transparent, balanced and bottom-up approach. Given this philosophy, the idea of standards and best practices shall encompass objective input from the community at large with a best-efforts mentality to ensure proper documentation. Conceptually, all documents should be unbiased and untainted by

organization-specific agendas and instead should reflect individual operator experiences.

1.2.2   Communal Knowledge Available to All

The entire effort shall be made available to everyone, always. An open, transparent, bottom up, balanced, on-going approach applies to all efforts in the OIX DDP arena to yield documentation for all to help advance the resilient and reliable development of the Internet.

1.2.3   Advancement of the Internet to All Reaches of the World

The Internet is global and should be made available to all. The GNEC is seeking to help advance that goal. OIX documents will contribute to the common knowledge base for all facets of the evolving Internet everywhere in the world.

1.3   Scope

This document provides procedures for the development, maintenance and documentation of consensus standards administered by OIX. These procedures provide due process for consensus standard development and maintenance under the general principle of openness and balance.

The standards developed and maintained by OIX are community-developed and provide synthesized knowledge of current, real-world network engineering standards and best practices. The standards and their documentation are driven and catalyzed by the network engineering community. The standards will always be publicly available and subject to scrutiny and on-going development as technologies change and as new knowledge is ascertained from the network engineering community.

1.3.1   Standards

Open-IX Standards:

- Promote uniform specifications for data transfer and physical connectivity.
- Create resiliency to improve reliability of Internet interconnection.
- Provide a benchmark against which Internet Exchanges and Data Centers that meet the community developed standards may be certified.

1.3.2   Best Current Operational Practices (BCOPs)

BCOPs are not intended to be binding rules on how operators configure or operate their network. BCOPs are intended to provide good advice about operational practices that is useful for the majority cases. Additionally, if there is some small percentage of corner cases were the standard advice does not apply, or some other practice is recommended, that should also be documented. Documentation of competing approaches and their trade-offs is also acceptable.

1.4   Principles

OIX standards and documents are developed under the constraint of five basic principles: openness, transparency, committee balance and diversity, bottom-up development, and on-going review and development.

1.4.1   Openness

All policies are developed in an open forum in which anyone may participate. There are no qualifications for participation. Open-IXs standards and document discussions are conducted in an open, publicly accessible forum that consists of a mailing list and virtual and in-person meetings. Anyone may subscribe to the mailing list and anyone may attend a meeting via the Internet or in person.

1.4.2   Transparency

All aspects of OIX's standards are documented and publicly available via the Open-IX website. The mailing list is archived. The proceedings of each meeting are published. All documents are available for viewing and download.

1.4.3   Balance and Diversity

OIX shall strive to achieve a balance of interests on its standards committees. Historically, the criteria for balance are that (a) no single interest category constitutes more than one-third of the membership of a consensus body dealing with safety-related standards or (b) no single interest category constitutes a majority of the membership of a consensus body dealing with other than safety-related standards.
The diverse interests represented on OIX's standards committees are categorized as follows:

(a) user interface – including internet service providers, content providers and content delivery networks;

(b) internet infrastructure – including data centers and internet exchange operators; and

(c) general interest categories, including hardware suppliers and software suppliers and any other interests that do no fall into the other categories.

1.4.4   Bottom Up Development

The network engineering community develops and documents all standards and practices from the bottom up. Individuals in the community can initiate OIX proposals for new standards or revision of existing standards. Participants work through various stages of development yielding an unbiased, community-authored document to be available to all those interested.

1.4.5   On-Going Review and Development

OIX standards and documents are subject to scrutiny into perpetuity. This allows for revisions to occur that will follow the update process and ensure that the standards and related documentation will always reflect the current best practices.

1.5 Criteria for Standards Development and Maintenance, and Document Publication

OIX standards and related documentation must meet two strict criteria before publication: First, they must be clear and technically sound. Second, they must be developed through open and transparent processes, subject to a balanced and diverse representation of interests.

1.5.1 Clear and Technically Sound

It is the responsibility of the appropriate Open-IX committee to ensure that all documents are both clear and technically sound, before recommending their publication. This serves to ensure that all published documents are relevant and useful to the network engineering community.

The Open-IX committees rely heavily on the wisdom and experience of the entire community when determining relevancy and usefulness. Community consensus is the primary indication that a document is clear and technically sound.

1.5.2 Developed through Open, Transparent and Balanced Processes

It is the responsibility of the Open-IX Board of Directors to ensure that all standards and documents are developed via open, transparent and balanced processes that provide for participation by all. There are no requirements for participation other than adherence to the guidelines of behavior and decorum, and anyone interested in following the process may subscribe to the mailing list or participate in meetings in person or remotely. By publishing a document, or an update to a document, the Open-IX Board of Directors is declaring that document was developed following the philosophy and principles described in this document.

These Operating Procedures may only be changed by the Open-IX Board of Directors after a public consultation period to consider the proposed changes.

1.6 Terms

Subject Matter Expert (SME) - Authors and contributors to OIX standards and related documents.

Shepherd - Editor and promoter of OIX documents; does not need to be a member of Open-IX or any of its committees.

GNEC - Global Network Engineering Community.

Standard – A document that reflects uniform specifications for data transfer and physical connectivity that creates resiliency to improve reliability of Internet interconnection. Organizations can be certified to comply with OIX Standards.

Best Current Operational Practice (BCOP) - A document that reflects an aspect of Internet Engineering (e.g., Sub-netting), is sought after by the GNEC, is worked on by the GNEC, and is ultimately published on the OIX website (open-ix.org).

OIX DDP - The Development Process, which the Open-IX community has adopted to create and publish all documents.

2.0 Standards Committees' Responsibilities and Membership

2.1. IXP Committee

2.1.1 Responsibilities

The OIX IXP Standards Committee is tasked with the development and maintenance of identifying and outlining a standard set of technical and operational guidelines for Internet Exchange Points (IXPs) known as OIX-1 Certification. It is expected that the standard will be continuously updated as experience, practice, technology and member input progress.

The IXP Standards Committee and/or discussions among the Open-IX membership community are the drivers for changes or adjustments to the guidelines. Any changes to the standard will be discussed openly on the Open-IX mailing list, during OIX Board meetings and in appropriate forums.

2.1.2 Membership

All of Open-IX's committees are comprised of volunteer representatives from the Global Internet community, who are coming together to create a better, safer, stronger, fairer Internet.

Members of the IXP Standards Committee who drafted the OIX-1 standard represented various interest categories in the industry, as detailed in 1.4.3 above. The Committee is committed to maintaining a similar diversity of interests going forward.

The expected weekly time commitment for task completion is one to two (1-2) hours per week. Volunteers for this committee are asked to commit to a one-year term.

2.2 Data Center Committee

2.2.1 Responsibilities

The Data Center Standards Committee is tasked with developing and maintaining the OIX-2 technical and operational standards for Data Centers. The OIX-2 standards encompass physical, operational and open access requirements from the street directly into the data center environment, including cross connection policies, Service Level Agreements (SLAs), up-time guarantees, and more.

The goal of the OIX-2 standard is to capture the critical aspects necessary to support the installation of an OIX-1-compliant exchange, although it also signifies sufficient flexibility for other mission-critical applications and massive scale interconnection.

2.2.2 Membership

All Open-IX Committees are comprised of volunteer representatives from the Global Internet community, who are coming together to create a better, safer, stronger, fairer Internet.

Members of the Data Center Standards Committee who drafted the OIX-2 standard represented various interest categories in the industry, as detailed in 1.4.3 above. The Committee is committed to maintaining a similar diversity of interests going forward.

The expected weekly time commitment for task completion is 1-2 hours per week. Volunteers for this committee are asked to commit to a one-year term.

2.2.3 Data Center Standards Committee Policy

The purpose of the Open-IX Data Center Standards Committee is to maintain and, as necessary, update the OIX-2 standard, to support transparent, resilient, and sustainable operations of data center facilities so that the global internet community benefits from a stable and scalable foundation.

2.2.4 Maintaining the OIX-2 Standard

The Data Center Standards Committee will be responsible for reviewing the OIX-2 Standard on an annual basis. The focus of any recommended changes to the Standard will be on maintaining relevance in the wake of new technologies and evolving best practices. After the annual review, the Committee will propose any recommended changes to the members. After allowing 21 calendar days for ensuing dialogue and potential further modification, the committee will present its recommended changes to the Board for final approval. Additionally, from time to time, in the practical application of the standard, the Committee may deem it appropriate to modify or clarify the Standard. This may be done by simply recommending any such changes to the members list, and after allowing 14 calendar days for ensuing dialogue, making its recommendation to the Board.

2.2.5 Development of Tools and Resources

The Data Center Standards Committee will also develop and maintain tools and resources for the community such as RFIs, RFPs and Questionnaires, among others. These documents will be grounded in the principles of Open-IX and the OIX-2 Standard. The purpose of these resources will be to assist potential buyers of data center space to fully understand the multiple criteria that may influence a good procurement decision.

2.2.6 New Standards/Projects

From time to time, Committee may consider development of additional standards or other special projects based on membership support or at the request of the board of

directors. The committee, in such cases, may perform work to pursue the objectives of the organization in ways not contemplated by this document.

2.2.7 Data Center Standards Policy Review

The BOD will review this policy on a bi-annual basis**.**

3.0 Development and Revision of Standards and the Open-IX Document Development Process (OIX DDP)

This section details the Open-IX standards development and revision procedure and the corresponding Document Development Process (OIX DDP).

3.1 PINS

At the initiation of a project to develop an OIX consensus standard intended as an American National Standard or to revise an existing OIX consensus standard, notification shall be transmitted to ANSI using the Project Initiation Notification System (PINS) form or its equivalent for listing in Standards Action, as required. Comments received in connection with a PINS announcement shall be handled in accordance with Section 2.5 of the current ANSI Essential Requirements: Due Process Requirements for American National Standards.

3.2 Public Comment

The proposal for a new OIX consensus standard, or revision, reaffirmation or withdrawal of an existing OIX consensus standard, shall be transmitted to ANSI using the BSR-8 form or its equivalent for listing in ANSI's *Standards Action* for public comment. The public comment period shall be in accordance with Section 2.5.2 of the current ANSI *Essential Requirements: Due Process Requirements for American National Standards*. This listing may occur concurrently with final balloting of the standard. The committee shall address the ballot comment made by the committee members and public comment in accordance with the Operating Procedures.

3.3 Proposals for New Standards or Modification of Standards

The OIX DDP begins with the identification of a need for documentation of a new Standard or Practice (BCOP), or the revision or retirement of an existing document. This need is usually determined by a change in technology, a change in the operational environment of the Internet, or the result of the experience of implementing an existing OIX document.

Any member of the Open-IX community can submit a Proposal; this is typically but not always the document's Shepherd. Community members who submit a Proposal are not, however, required to work on that document further. In addition, OIX welcomes proposals from non-members of OIX, with appropriate safeguards to ensure that the good faith interests of the proponent align with the objectives of the standard development itself.

New Proposals take the form of a question (e.g., 'what is the BCOP for IX port configuration?') or affirmative Proposal submitted to the Open-IX community following the Proposal template.

Update Proposals take the form of a problem statement and are similarly submitted, using the Update template. One possible result of an Update Proposal is retirement of the document in question.

Proposals are then discussed on the mailing list and sometimes at Open-IX meetings.

A public repository of open Proposals will be maintained to facilitate their development after being submitted.

3.4   Draft

Proposals that meet the following requirements are selected by the appropriate Open-IX committee as Drafts:

- Significant community interest
- Not overly broad or overly specific
- Relevant to the OPEN-IX community
- Unbiased and vendor-neutral
- Has a willing Shepherd

Once a Proposal is selected as a Draft, the Shepherds must draft an outline for the Draft following the Draft template. Shepherds must then recruit SMEs to contribute to the content of the Draft. Shepherds may act as SMEs themselves when appropriate.

Throughout the development of each document, its text will be discussed on the mailing list and sometimes at Open-IX meetings. The appropriate Open-IX committee oversees this process, providing guidance as needed and replacing Shepherds or SMEs as needed.

3.5   Candidate

Drafts that meet the following requirements are selected by the appropriate Open-IX committee for publication consideration:

- Full and complete content that answers the original appeal
- All substantive objections raised on the mailing list or in meetings addressed (rough consensus)
- Properly scoped, unbiased and vender-neutral

The text of all Candidates must be posted to the mailing list at least two weeks prior to the next Open-IX meeting. The posted Candidate text must be presented for discussion at the next Open-IX meeting.

3.6   Standard or BCOP

Candidates that meet the following requirements are recommended by the appropriate Open-IX committee for adoption and publication:

- Approval pursuant to the voting requirements detailed in Section 3.8 below.
- Complete a minimum two (2) week last call (posted to the mailing lists for final comment) with no substantive objections (silence is support in last call).

Once the document is recommended by the appropriate Open-IX committee, the Open-IX Board of Directors must then verify that the DDP was followed before approving the document for publication. Documents are published in a well-known publicly available repository for use by all.

3.7   Updates

An Update proposal can be made at any time to update or retire any existing document. Update proposals follow the Document Development Process outlined above and result in an existing document being updated or retired.

3.8   Voting Requirements

3.8.1   Votes may be obtained by letter, fax, recorded votes at a meeting or electronic means. All members shall have the opportunity to vote. When recorded votes are taken at meetings, members who are absent shall be given the opportunity to vote before or after the meeting.

3.8.2   Addition of new Committee members and designation of their interest classification shall be approved by a majority vote of the Board.

3.8.3   Withdrawal of an existing standard shall require the approval of a majority of the responsible Committee (e.g., the IXP committee for the OIX-1 standard) and a majority of returned votes, excluding abstentions.

3.8.4   A vote with approval by a majority of the responsible Committee and at least two-thirds of returned votes, excluding abstentions, is required for the following:
a) Approval of revisions of the Committee operating procedures,
b) Approval of a new standard,
c) Approval of revisions of an existing standard
d) Approval of reaffirmation of an existing standard, and
e) Non-persuasive ruling on unresolved negatives.

4.0   Notification of Standards Development and Coordination

4.1   Standard Review

OIX consensus standards shall be reviewed by the respective committees on a regular basis with intent to complete the review of the whole standard within five years from the date of original approval, or the last revision or reaffirmation of the standard.

4.2   Standard Revision

4.2.1   Proposals for revisions to an OIX consensus standard can be made at any time by those affected by the standard and shall be considered by the respective committee as part of the standard review process.

4.3   Interpretations Policy

4.3.1   Requests for interpretation of the standard developed and maintained by OIX shall be directed to the Board in writing.

4.3.2   Official interpretations of the consensus standards developed and maintained by OIX shall be circulated within two weeks of the receipt of the request in writing. Based on the input from the community, the Board shall prepare written responses to the requester within 45 days of the receipt of the written request. The written interpretation shall be made available to the public through posting on the OIX web site at www.open-ix.org.

4.4   Consideration of Views and Objections

4.4.1   Written objections and comments regarding a vote and comments received from the formal public review of the document in ANSI's *Standards Action* shall be considered expeditiously with a concerted effort to address them by the Committee. Each unresolved objector shall be advised in writing (including electronic communications) of the disposition of the objection and the reasons thereof. If resolution is not achieved, each such objector shall be informed in writing that an appeals process exists within procedures used by OIUX. In addition, each objection resulting from public review or submitted by a member of the consensus body, and which is not resolved, will be reported to ANSI.

4.4.2   Each unresolved objection and attempt at resolution, and any substantive change made in a proposed standard, shall be reported to the Committee in order to afford all members an opportunity to respond, reaffirm, or change their vote. A substantive change is one that directly and materially affects the use of the standard. Examples of substantive changes are as follows: "shall" to "should" or "should" to "shall"; addition, deletion or revision of requirements, regardless of the number of changes; and addition of mandatory compliance with referenced standards. When this process is completed in accordance with these procedures, the Committee may consider any comments received subsequent to the closing of the public review and comment period, or shall consider them in the same manner as a new proposal. Timely comments that are not related to the proposal under consideration shall be documented and considered in the same manner as submittal of a new proposal. The submitter of the comments shall be so notified.

4.4.3   Substantive changes required to resolve negative votes shall be reported to the Committee so that all Committee members can respond, reaffirm, or change their votes within 30 days. Any substantive change as a result of a ballot or public

comment in accordance with Section **[3.2]** of this document shall be listed again in ANSI's *Standards Action* for public review. Unresolved negatives shall be ruled as non-persuasive in accordance with the Voting Requirements specified in this document.

4.5   Editorial and non-substantive changes shall not be required to be balloted.

4.6   Any comments received after the closure of a ballot shall be considered in the same manner as a new proposal during the next revision cycle of the standard.

5.0   Appeals

5.1   Right to Appeal

5.1.1   Persons who have directly and materially affected interests and who have been or will be adversely affected by any procedural action or inaction by OIX with regard to the development of a proposed OIX consensus standard or the revision, reaffirmation, or withdrawal of an existing OIX consensus standard, have the right to appeal.

5.2   Filing of Complaints

5.2.1   Any complaints pursuant to 5.1.1 above shall be filed in writing with the Board within 30 days after the date of notification of action or at any time with respect to inaction. The complaint shall state the nature of the objection(s), including any adverse effects, the referenced section(s) of these procedures or the standard that is at issue, actions or inactions that are at issue, and the specific remedial action(s) that would address the concerns. Previous efforts to resolve the objection(s) and the outcome of each shall be noted.

5.3   Response

5.3.1   Within 30 days after receipt of the complaint, the Board or a committee designated by the Board shall respond in writing to the appellant addressing each allegation stated in the complaint and the follow-up actions.

5.4   Hearing

5.4.1   If the appellant and the Board or designated committee are unable to settle the complaints through correspondences, the Board shall schedule a hearing with the Appeals Committee on a date agreeable to both parties, giving a minimum of two weeks in advanced notice. Efforts shall be made by all parties involved to resolve the complaints within a reasonable time limit.

5.5   Appeals Committee

5.5.1 The Appeals Committee (a non-standing committee) shall consist of three non-Board OIX members who have not been directly involved in the matter in dispute and will not be materially or directly affected by any decision made or to be made in the dispute. At least two of the three members shall be acceptable to both the appellant and the Board.

5.6 Conduct of Hearing

5.6.1 The hearing shall be conducted based on the Robert's Rules of Order (latest edition) in a face-to-face meeting or a teleconference, at the discretion of the Board. The appellant has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action. The Board has the burden of demonstrating that OIX's actions were in compliance with these procedures and that the requested remedial action would be ineffective or detrimental. Other pertinent arguments may be used.

5.7 Ruling

5.7.1 The Appeals Committee shall make its ruling in writing within 30 days of the hearing, stating findings of fact and conclusions with reasons. The ruling may consider the following positions, among others:
a) Finding for the appellant, remanding the action to the Board with a specific statement of the issues and facts concerning which fair and equitable action was not taken,
b) Finding for the Committee, with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections, or
c) Finding that new, substantive evidence has been introduced, and remanding the entire action to the Committee or the Board for appropriate reconsideration.

5.8 Actions As a Result of Ruling

5.8.1 When the ruling is for the appellant (5.7.1(a)), the proposed standard shall be reballoted to address the objection(s) raised by the appellant.

5.8.2 When the ruling is for the Committee (5.7.1(b)), no further actions by the Committee are required.

5.8.3 When the ruling is for appropriate reconsideration (5.7.1(c)), the Committee shall review the new, substantive evidence, and determine and document appropriate actions, such as reballot of the proposed standard when deemed appropriate by the Committee.

6.0 Policy Regarding Evidence of Compliance (Record Retention)

OIX agrees to comply with the most current version of ANSI's compliance/records retention policies.

OIX will retain records concerning new, revised, or reaffirmed ANS standards electronically in a designated SharePoint work space and keep them for one complete standards cycle, or until the standard is revised.
OIX will retain records of withdrawn standards for five years after the date of withdrawal.

7.0   Metric Policy.

In accordance with the ANSI Essential Requirements, OIX accepts ANSI's Metric Policy, which states: "Unites of International System of Unites (S)), the modernized metric system, are the preferred units of measurement in American National Standards." At present, there is only one applicable measurement, in the standard for DCs – a mileage requirement – and it can be converted to metric scale.

8.0   Commercial Terms and Conditions.

OIX agrees to comply with the most current version of the *ANSI Commercial Terms and Conditions* policy given in the *ANSI Essential Requirements*.

9.   Intellectual Property Rights (IPR) Policy

Open-IX agrees to comply with the ANSI Patent Policy, in its entirety, as outlined in the most current version of the *ANSI Essential Requirements*, and calls attention in particular to the following statements therein, without limitation:

"By publication of this standard, no position is taken with respect to the validity of any such claim(s) or of any patent rights in connection therewith. [. . .]

Neither the ASD [Accredited Standards Developer] nor ANSI is responsible for identifying patents for which a license may be reuired by an American National Standard or for conducting inquiries into the legal validity or scope of those patents that are brought to their attention." .

10.   Antitrust Policy

All Members or Participants taking part in any Open-IX Association activities, including, without limitation, standards development, are required to follow this Antitrust Compliance Policy strictly and without exception.

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Basic Principles

The fundamental purpose of the Open-IX Association is to develop, adopt and promote the implementation of voluntary standards to improve data exchange

efficiencies and complexities, improve product information quality, and support the development of Internet Exchange Points and Interconnection. The Association's membership is comprised of a representative cross-section of industry leaders who, working under the auspices of the Association, contribute to the development and adoption of such standards, so that they then may be implemented by companies or other entities providing services in the relevant market(s).

The central goal of the Association is to improve competition and facilitate competitive practices. Adherence to this Antitrust Compliance Policy will facilitate that purpose and is required.

Antitrust principles relating to standards development: As a standards development consortium, Open-IX is committed to using procedures for standards development that incorporate openness, balance of interests, voluntary consensus, transparency, due process, and an appeals process. In addition to these requirements, Open-IX seeks to ensure that all participants in standards development activities conduct their activities in good faith to promote a fair, open, collaborative and unrestricted process for considering and adopting standards.

It is the policy and practice of the Open-IX Association to conduct all of its meetings and activities in strict compliance with applicable federal and state laws. Because participants in the Association are often competitors, it is particularly important to comply fully with federal and state antitrust laws. These laws seek to preserve and promote competition and to deter anticompetitive conduct.

Strict compliance is required: Participants in the Association are required to comply strictly with all applicable federal and state antitrust laws and to avoid any appearance of improper or anticompetitive conduct. To help ensure such compliance, counsel for the Association may review agendas, key action items, handouts and slide presentations in advance of all meetings; review meeting Minutes in advance of distribution; and be present, as requested, to monitor Association meetings. Members and Participants are strongly urged to consult with their own (company's) counsel for legal advice concerning documents a company wishes to disseminate, presentations made by company officials, and other pertinent issues. Persons with questions regarding what is, or is not, permitted under antitrust laws should consult counsel before behaving in a manner that may violate, or create the perception of a violation of, the antitrust laws.

Violations of the law and penalties: Violations of the antitrust laws can result in serious penalties for both companies and individuals – and standards development consortia such as the Association are not exempt. These penalties include treble damage awards, heavy fines and injunctions. Individuals may be subject to imprisonment. It is therefore incumbent upon everyone participating in any Association activities to avoid subject areas and discussions which might be construed as anticompetitive.

11. Open-IX Contribution

An Open-IX Contribution is any submission to Open-IX intended by the Contributor for publication as all or part of an OIX document and any statement made within the context of an Open-IX activity. Such statements include oral statements in Open-IX meetings, as well as written and electronic communications made at any time or place, which are addressed to:

- any Open-IX meeting session,
- any Open-IX committee or portion thereof,
- the Open-IX Board, or any member thereof on behalf of the Board,
- any Open-IX document shepherd or SME in the context of such a document,
- any Open-IX mailing list, any committee or document working group or SME team list, or any other list functioning under Open-IX auspices.

Statements made outside of an Open-IX session, mailing list or other function, which are clearly not intended to be input to an Open-IX activity, group or function, are not Open-IX Contributions in the context of this document.

A participant in any Open-IX activity is deemed to accept all Open-IX rules of process.

A participant in any Open-IX activity acknowledges that written, audio and video records of meetings may be made and may be available to the public.