Existing CA/Browser Forum Rules Incorporated in Trend Micro Draft Bylaws

15 October 15, 2012

Bylaws Sec. 1
From Website: https://www.cabforum.org/forum.html
The Certification Authority Browser Forum (CA/Browser Forum) is a voluntary organization of leading certification authorities (CAs) and vendors of Internet browser software and other applications.

Members of the CA/Browser Forum have worked closely together in defining the guidelines and means of implementation for the Extended Validation (EV) SSL Certificate standard as a way of providing a heightened security for Internet transactions and creating a more intuitive method of displaying secure sites to Internet users.

Bylaws Sec. 1.3
[Antitrust statement copied from prior Minutes where statement was read.]

Bylaws Sec. 2.1
From Wiki under Membership tab

Membership Criteria
CA / Browser Forum
Version 03
CA/Browser Forum members shall meet at least one of the following criteria.

Issuing CA:-The member organization operates a certification authority that has a current and successful Webtrust for CAs audit, or ETSI 102042 or ETSI 101456 audit report prepared by a properly-qualified auditor, and that actively issues certificates to Web servers that are openly accessible from the Internet using any one of the mainstream browsers.

Root CA: The member organization operates a certification authority that has a current and successful WebTrust for CAs, or ETSI 102042 or ETSI 101456 audit report prepared by a properly-qualified auditor, and that actively issues certificates to subordinate CAs that, in turn, actively issue certificates to Web servers that are openly accessible from the Internet using any one of the mainstream browsers.

Browser: The member organization produces a software product intended for use by the general public for browsing the Web securely.

Applicants should supply the following information

1. Confirmation that the applicant satisfies at least one of the membership criteria (and if it satisfies more than one, indication of the single category under which the applicant wishes to apply).
2. URL of the current qualifying audit report.
3. The organization name, as you wish it to appear on the Forum Web site and in official Forum documents.
4. URL of the applicant's main Web site.

5. Names and email addresses of employees who will participate in the Forum mail list.

Bylaws Sec. 2.2
From Wiki at Voting Rules tab
Ballots will be conducted in accordance with the following rules.
1. Only votes by full members of the CA/Browser Forum shall be accepted.
2. Only one vote per member company shall be accepted; representatives of corporate affiliates shall not vote.
3. A representative of any member can call for a proposed ballot to be published for review and comment by the membership. Any proposed ballot needs two endorsements in order to proceed. The review period then shall take place for at least five calendar-days before votes are cast.
4. The CA/Browser Forum shall provide seven calendar-days for voting, with the deadline clearly communicated via the members' electronic mailing list. All voting will take place online via the members' electronic mailing list.
5. Only votes that indicate a clear 'yes' or 'no' response to the ballot question shall be considered (i.e. votes to abstain and votes that do not indicate a clear 'yes' or 'no' response will not figure in the calculation of item 6, below).
6. Members fall into two categories: CAs (comprising issuing CAs and root CAs, as defined in the membership criteria) and product suppliers (as defined in the membership criteria. In order for the motion to carry, two-thirds or more of the votes cast by the permanent members in the CA category must be in favor of the motion, and at least 50% plus one of the votes cast by the permanent members in the browser category must be in favor of the motion.
7. A ballot result will be considered valid only when more than half of the number of currently active members has participated. The number of currently active members is the average number of member organizations that have participated in the previous three meetings (both teleconferences and face-to-face meetings).
8. The CA/Browser Forum will tabulate and announce the results within one calendar-day of the close of the voting period.

Bylaws Sec. 5.2
From Wiki - Ballot 73

The Forum requests the list manager to establish a new Forum mail list called cabfpub@cabforum.org.

Current subscribers to the "management" mail list should be subscribed to the cabfpub@cabforum.org list with no action required on their part. Forum members (both voting and observing) should be allowed to post to the cabfpub@cabforum.org list. Anyone else should be allowed to subscribe and receive posted messages. But, until a mechanism for obtaining their agreement to the IPR policy has been implemented, they should not be allowed to post messages to the cabfpub@cabforum.org list.

The Forum requests the Webmaster to post instructions for subscribing to the cabfpub@cabforum.org list on the Forum Web site (cabforum.org).

Agendas and minutes of future Forum meetings will be posted to the cabfpub@cabforum.org list. Other messages may be posted to the cabfpub@cabforum.org list at the originator's discretion.

From Wiki - Ballot 79

1) Draft and final agenda for Forum meetings (both virtual and in-person, and including any sub-groups or committees) will be posted to the public list.

2) Draft minutes of Forum meetings (both virtual and in-person, and including any sub-groups or committees) will be posted to the private list to allow members to make sure they are being correctly reported.

Minutes will be considered Final when approved at a subsequent Forum meeting, or after 2 weeks have elapsed since publication of the draft if no meeting is imminent. Final minutes will then be posted to the public list. The Chair will, upon request, make redactions of any part of the public copy of the minutes identified as private or sensitive by either the information discloser or a member mentioned or affiliated with the subject of the information.

3) Messages formally moving a Forum motion and announcing ballot outcomes, including vote and quorum counts, will be posted to the public list. The details of who voted for what will continue to be posted, now as a separate message, to the private list.

4) In other cases, individuals have discretion about which mailing list they use, but are strongly encouraged to use the public mailing list for matters other than security incidents or those which require commercial confidentiality.

Members are strongly discouraged from posting the text of private-list messages to the public list without the permission of the author. If this motion passes, the ballot outcome message will be posted to the public list under 3) above.

Bylaws Sec. 5.6
From Ballot 66 – see diagram on Wiki and attached as Exhibit C in Bylaws.

Bylaws Sec. 6.2
From Wiki "Procedure for handling postings to the questions mail list"

Procedure for dealing with questions and comments posted to the CABForum "questions at cabforum dot org" mail list.
The Forum shall appoint a "questions list coordinator".
The responsibility of the questions list coordinator are:
1. (if practical, within 24 hours) send an acknowledgment to the questioner indicating that the question or comment has been received and that a response will provided as soon as is practical.
2. Coordinate discussion using the "questions at cabforum dot org" mail list until consensus has been achieved.
3. Post the proposed response to the "management at cabforum dot org" mail list indicating that members have 24 hours to object.
4. If no objections are received before the deadline expires, then send the response to the questioner.
5. If consensus cannot be achieved, or one or more objections are received, then the matter should be dealt with in the next members meeting (teleconference or face-to-face).

Bylaws Sec. 6.3
From Wiki home page – Professional Conduct

Civil Discourse
Members, to an extent, attribute the Forum's success this far to the constructive character of its discussions. They observe the character of some of the discussions on similar mail lists and conclude that sarcasm and ad hominem attacks impede progress by discouraging the sharing of ideas and

encouraging the entrenchment of positions. For these reasons, the members want to take active steps to avoid these behaviors in its own communications.

It is recognized that it will be difficult to find the right balance between the need for free expression of ides and the desire to conduct discussions with civility. Nevertheless, the members want to seek that balance.

Members have instructed the chair to monitor the character of Forum discussions on mail lists and during in-person meetings and to admonish those who conduct themselves in a way that works against this goal.

Without exception, Forum members are world-class experts in some aspects of the Forum's work. But, none are completely informed in ALL aspects of the Forum's work. It is to be expected that (from time to time) statements will be made that are either incompletely informed or only hold in a limited (but unstated) context. Intellectual impairment and bad faith do not provide a plausible explanation. In such cases, a response should make a good faith attempt to uncover the source of the misunderstanding. Whenever a response clearly deviates from this objective, the chair is instructed to publicly remind the contributor of the Forum's attitude in this regard.