

Lawyers vs. Reality

a manifesto for SLA language that makes sense

Joe Abley

ICANN 51, Los Angeles, October 2014

Myths

- **“We know an outage when we see it”**
 - *if that was true, we wouldn't need an SLA*
- **“We're all friends here, we trust each other to do the right thing”**
 - *if that were true we wouldn't need a contract*
- **“We have an SLA, so we are protected”**
 - *if you can't agree what the SLA means when you need it, an SLA is a recipe for an argument, not better service*

When Friends Fall Out

- **“We see query latencies over 200ms, we declare an outage”**
 - 200ms between where and where?
 - How do I reproduce that?

You will never see <200ms query latency

- on a path that includes a satellite
- on a path that includes a flat-lined 100M peering link
- on a path that is also used by a teenager who recently discovered this thing called bittorrent
 - there is never enough bandwidth for teenagers
- from a mobile device with 1 bar of GPRS service

The Problem

- On its own, “200ms” doesn’t mean anything
- Thresholds need to be tied to measurements
- Measurements need to be reproducible and precisely described
- The path to happiness is paved with reasonable expectations, not littered with bear traps of ambiguity

Hug a Lawyer Today

- The problem is not actually with lawyers
 - the title of this presentation is needlessly inflammatory
 - I am the buzzfeed of ICANN 51
- Lawyers are trained to avoid the kind of ambiguity that we are complaining about, here
 - the fact that “<200ms” means nothing on its own is just something we forgot to mention to them

The Internet is:

- a seething, chaotic mess of updates, withdrawals, queues and discards, loss and reordering
- and the Internet five seconds ago is not necessarily the Internet right now
- the largest equivalence class in the reflexive, transitive, symmetric closure of the relationship 'can be reached by an IP packet from' (Seth Breidbart)
- my Internet is not the same as your Internet

Good SLA Language:

- is tied to tests that are reproducible and precisely described
- acknowledges that the Internet is a pile of other peoples' networks, over which you have little control
- focuses on desired user experience, not every possible event that might theoretically contribute to the decline of that experience

Nice to Have

- An understanding of what acceptable service looks like
- Use of third-party measurement systems
- Specification of measurements that are clear, and that can be performed by either party to produce equivalent results
- Written with the goal of maintaining acceptable service, not delivering a throat punch
- What else?

Homework

- Understand what acceptable service means for you
- Review your SLA language
- Imagine the conversation that would result if you ever tried to claim an SLA credit
- Hug your lawyer