



June 27, 2011

To: All competitors in the 2011 Transpacific Yacht Race

From: The Transpacific Yacht Club, Organizing Authority for the 2011 Transpacific Yacht Race

Subject: Racing rule 41 and paragraph 14.3 of the Notice of Race

Under racing rule 89.2(a) the Transpac Yacht Club (the organizing authority) is required to publish the Notice of Race and it has done so.

It has come to the attention of the Transpacific Yacht Club that at a recent seminar a speaker interpreted racing rule 41 and paragraph 14.3 of the Notice of Race for the 2011 Transpacific Yacht Race. According to the report the Yacht Club received, this interpretation was made during a segment of the seminar dealing with obtaining customized weather information from the internet or “the cloud”. The Yacht Club does not know exactly what was said or implied during the seminar, but from the report it received it believes that it is in the interests of all competitors to consider the points made below.

Paragraph 14.3 of the Notice of Race reads as follows (highlighting added):

Competitors may only utilize weather information that is routinely available throughout the year to the general public without charge, and whose availability is publicly indexed. For example: Competitors may NOT arrange for routers or meteorologists to provide them with advice, custom data, or compilations of public data during the race, no matter how that information is communicated. Competitors may receive regularly scheduled weather broadcasts or weather fax transmissions (e.g. from NOAA, USCG, WWV, NMC, KVM70, or from the Transpac Communications Vessel). Competitors may receive imagery from satellites (e.g. NOAA, APT satellites). Competitors may use any means to retrieve data from the Internet (e.g. from the web, from ftp sites, from email responders), provided that those data are intended for public use without charge, are routinely available for free throughout the year, and are publicly indexed (e.g. can be found via Google). Prior to their preparatory signal, there is no limitation on private services or any other source of data or consulting, except that a competitor that has started may not provide weather information to another competitor that has started, or to a competitor that has not yet started except through the information provided to or from the Transpac Race Communication Vessel. This amends RRS 41.

Please note the highlighted phrases above and the following important points:

1. Any weather information used by competitors must be routinely available throughout the year. This year is 2011. The intended meaning of the phrase “throughout the year” is “from January 1, 2011 through the date on which the weather information is used during the race”.

2. The intent of paragraph 14.3 of the Notice of Race is to allow the use of weather information or data only if: (a) it is intended for “public use without charge”, (b) it is routinely available “for free” (without monetary cost) and has been routinely available for free from January 1, 2011 until the date of use, and (c) it is publicly indexed on a service (such as Google search) that all competitors can reasonably be expected to be aware of. Furthermore, the intent of paragraph 14.3 is to prohibit the use of data, information or advice that has been customized for a particular boat or set of boats entered in the race.

3. The protest committee will apply paragraph 14.3 of the Notice of Race or racing rule 41 should a protest arise concerning either that paragraph or that rule. A copy of this e-mail will be made available to the protest committee.