

Framework for Collaboration

2019

 THE **LINUX** FOUNDATION

You probably came with questions. We brought the experts.

How do I integrate upstream development into my production products or systems?

How do I know I am not giving away all my IP by using open source?

What open source business models work?

How can I be sure open source code is interoperable with other solutions?

Is open source something we can rely on?

How do I integrate upstream development into my production products?

How do I know I am not giving away all my IP by using open source?

What open source business models work?

How can I be sure open source code is interoperable with other solutions?

Which communities are most aligned with my business?

How can I incorporate open source into a public procurement system?

New Resource: Practical Guide for Requiring Open Source in Public Contracts

- › Thanks to RTE and Inno³ for making this resource available
- › <https://www.lfenergy.org/resources/open-source-guides/>
- › License: Creative Commons Attribution International 4.0

Public operators may impose within public procurement the choice of Open Source Software insofar as the underlying development model induces practices that promote competition in the sense of European competition law. The benefit of this principle implies verifying the combination of specific legal, technical and governance factors.

1 The benefits of Open Source

Open Source Software (also called Free Software)¹ is allowed, both technically and legally, for the benefit of

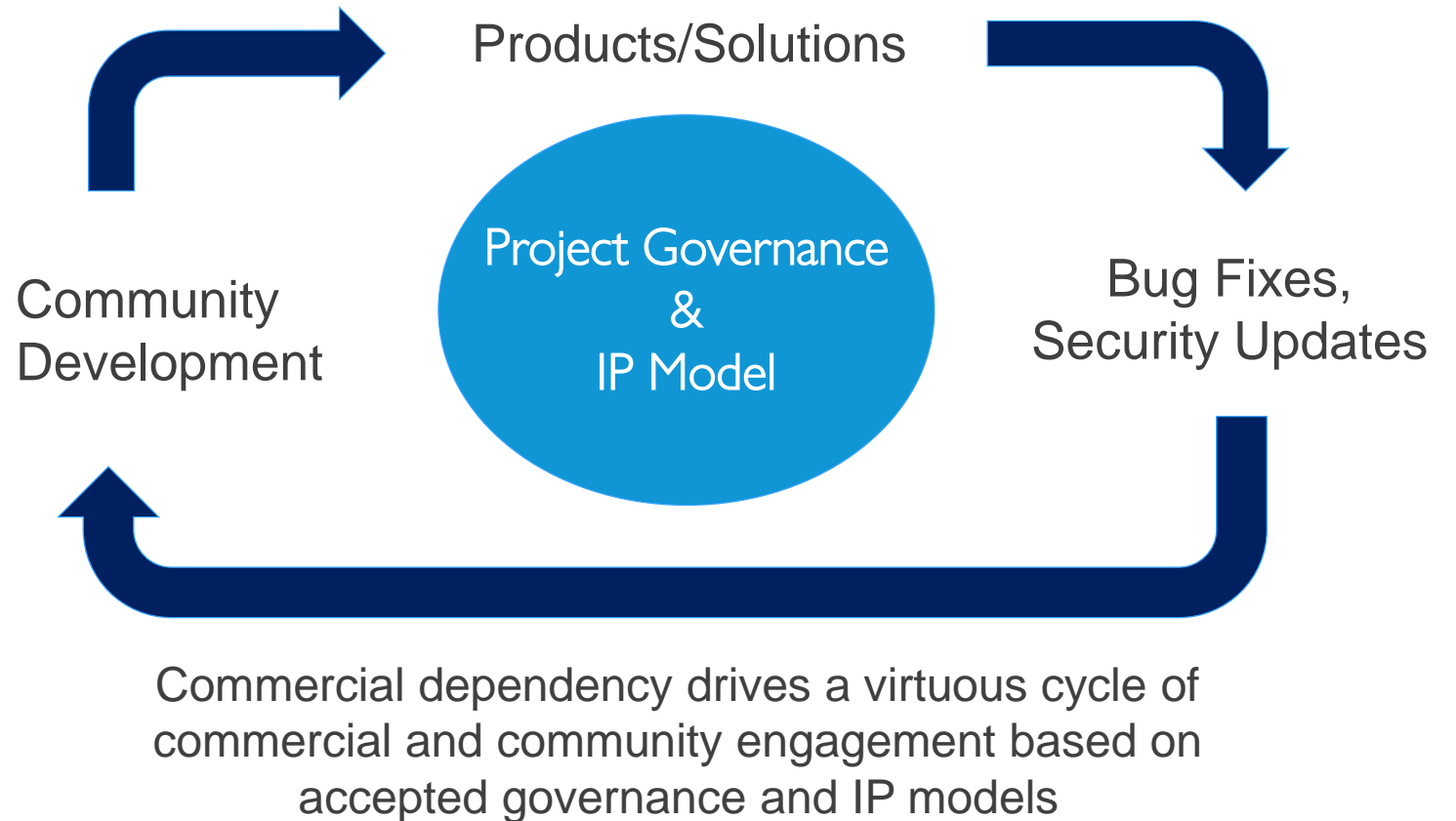
Aspect	Objectives	Illustrations	Example of terms and conditions
Legal	<p>The tender must require the use of standardized legal tools, which are usually written and maintained collectively :</p> <ul style="list-style-type: none"> ✓ The use of licenses complying with the <i>Free Software Definition</i> and the <i>Open Source Definition</i> is a prerequisite. An up to date list is on their respective websites. ✓ When the application is based on standards implementing patents, it is necessary to ensure the access conditions to this technology conform with European criteria « <i>Fair, Reasonable, and Non-Discriminatory</i> » (FRAND). ✓ A strong trademark policy is not incompatible with the concept of non-locking, as long as its management does not favor one market player over the others. <p>In the case of third-party source code integration, it may be necessary to justify a formalized open source policy.</p>	<p>The most well-known licenses are GPL, MIT, Apache License, LGPL, BSD, EPL, MPL licenses. The SPDX project (https://spdx.org/) offers a unique identifier per license.</p> <p>As long as open source software is based on standards using patented technologies, the access conditions relating to them must comply with European FRAND « Fair, Reasonable, and Non-Discriminatory » criteria (FRAND)¹¹</p> <p>The most recent licenses (GPL-3.0, Apache-2.0, EPL-2.0 MPL-2.0 for example) contain strong patent commitments. Beyond that, Europe offers through standard contracts such as « Model contracts for licensing interoperability information »</p> <p>It is common that the name of the software is registered as a trademark, owned by a single operator a federating operator; its use generally defined within a document called « trademark policy »</p> <p>In the case of third-party source code integration, it</p>	<p>This service provision contract covers the XX Open source Software used within the XX Administration. To that extent, any software provided with its source code and subject to a free license, i.e. certified as "Open Source" by the Open Source Initiative, or approved by the Free Software Foundation as listed on SPDX, constitutes Free Software.</p> <p>The service provider must ensure that the terms of the patent licenses associated with the technologies implemented by Free Software comply with French and European competition provisions (which results in a reasonable amount of royalties for all potential licensees and an absence of discrimination between users in a situation considered similar).</p> <p>The service provider using the trademark(s) related to the software must first inform the buyer in writing. If this trademark is governed by a specific policy, the service provider must comply.</p> <p>The service provider is committed to implementing the necessary processes to ensure compliance with the applicable licenses for the third-party components used</p>

Shared dependency, shared outcomes

- › As organizations develop a project together, they collectively are building a shared dependency
- › As new fixes and features are developed many patches need to go upstream. Why?
 - › If your fixes or features are tied into the core project, it will become too expensive to maintain outside the open source project as changes, security fixes, and other developments proceed inside the project
- › As an industry coalesces around a project, it becomes part of the fabric new solutions and value are created upon – and helps produce shared outcomes

A sustainable ecosystem engages developers, users and vendors

Sustainable projects have a developer community whose technology is used in commercial solutions that profit businesses, who in turn participate and reinvest back into the project and hire developers to work in the community.



Governance & IP Model

- › Successful industry projects document their governance and IP Model
 - › Governance should be transparent, inclusive, low barriers to entry
 - › IP model should be clear, precise and aligned to OSS norms that have been successful
- › Neutral owner for trademarks, community assets
 - › If it's perceived as “just one company in control”, that will be an inhibitor to adoption
 - › In addition to trademarks, we also neutralize domains, GitHub ownership
- › Neutral trademark ownership is separate from trademark usage
 - › Our communities develop policies for how the mark should be used, as a community
- › License housekeeping is important – companies will scan a project's code, what will they find?
 - › Use SPDX license identifiers, regularly scan the code for license issues
 - › What gets pulled in at build time?

The LF Requirements for Hosting a Project

- › Project decision-making moves to a model of open, transparent governance.
 - › This doesn't mean the LF takes over and resets your technical direction and vision back to day zero. Instead we mean that work with the project founders to document an open model of collaborative community operation – almost always without disrupting the next release or existing contributor base at all. The key is to add transparency by documenting who makes decisions and how.
- › Any trademark, git repo accounts or community assets should be owned neutrally by the foundation entity
- › The project operates under an open source license and IP model
- › At least one Linux Foundation member is sponsoring the project

TODO Group Guides

- › <https://todogroup.org/guides/>
- › Shared knowledge from companies and experts who have shifted organizations to open source many times before
- › **To build a successful open source program, start here:**
 - › How to Create an Open Source Program
 - › Measuring Your Open Source Program
 - › Tools for Managing Your Open Source Program
- › **For open source program management best practices:**
 - › Using Open Source Code
 - › Participating in Open Source Communities
 - › Recruiting Open Source Developers
 - › Starting an Open Source Project
 - › Open Source Reading List
 - › Improve Your Open Source Development Impact
 - › Shutting Down an Open Source Project
 - › Building Leadership in an Open Source Community
 - › Setting an Open Source Strategy
 - › Marketing Open Source Projects

TODO Group Guides: Open Source Program Case Studies

- › Autodesk
- › Capital One
- › Comcast
- › Dropbox
- › Facebook
- › Microsoft
- › Oath
- › RedHat
- › Salesforce
- › SAP

The Open Source Practice @ Comcast

- Mission to grow Comcast expertise in Open Source
- Ensure we have scalable and dependent processes for compliance across the company.
- Enable culture change through tools, best practices, facilitation and community engagement



Source: <https://todogroup.org/guides/casestudies/comcast/>

Use the Summit to Ask Questions

- › We have many experts gathered, they may have ideas and may even have complete answers to your concerns or questions
- › The Linux Foundation is always available to help
- › The community is often eager to help as well: shared outcomes

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