

Developing Corporate Open Source Policies

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Develop a strategy,
then decide how to
implement it.

Is your strategy to:

- Use open source internally
- Use open source in a service offering
- Use open source in a distributed product
- Distribute open source in a channel
- Embed open source in a device

Software License Risks

- Doesn't Work/Can't Fix
- License Compliance
- Third-party IP claims
 - + The SCO problem
 - + Indemnification vs. "as-is"
- Unintended IP grants
 - + Implied patent licenses

Evaluating Risk: Would it be hard to fix?

- Distribution model
 - company-wide vs. product-by-product
 - distributed vs. internal use
 - # of copies distributed
 - channel vs. electronic updates
- Code Modularity
- Available alternatives

Evaluating Risk: The Source of the Source

Licensors

- **Large?**
- **Active?**
- **Skilled?**
- **Diligent?**
- **Professional?**

Community

- **Large?**
- **Active?**
- **Dependent?**

Evaluating Risk: Optaros EOS Directory

- Community Strength
- Functionality
- Maturity
- Trend
- Enterprise-ready (support offered, etc.)

Business Benefit

- Time to market
- Availability
- Cost/risk profile
- Independence from vendors
- *De facto* standards
- Reliability/security
- Value-added services
- ***Cost-sharing of commodity code***

Why Have a Written Policy?

- Maximize business benefit
- Reduce risk
- Compliance/certifications
- Common Understanding Among Developers
- Due Diligence
- Because we like policies

Why Not Have a Policy?

- Looks bad if not followed
- Adds additional complexity
(“we’re not Microsoft, IBM, or Oracle...”)
- Waste of time
(“we know what we’re doing...”)

Goals for a Policy

- Implement Strategy
- Efficient decision making
- Results in “Appropriate” Use of OS

“Appropriate” Use of OS

- overall risk tolerance
- compatibility of license with business model
- how hard to fix if there is a problem
- how important is it to the product
- politics
- size/substance of patent portfolio

Quiz - Who decides what is “Appropriate” Use of OS?

- A. Developers
- B. Lawyers
- C. CTO
- D. CFO
- E. All of the above

Open Source Review Board Logistics

- Who should belong?
- How often should board meet?
 - early in development cycle is better
- How much developer independence?
- How much review board investigation?
- How much information is recorded?

Open Source Policy

- License approval
- Usage approval
- Pre-approved licenses/usage?
- Open source board?
- Allow contributions back to the community?
- Require use of code-scanning tools?

Example Review Board Staffing (as per Bruce Perens)

- OS Attorney
- OS Expert
- Admin
- Sometimes experts with applicable knowledge
- Department/other stakeholders
- Employee requesting and manager

Process

- Request submitted (in writing)
- Describe OS software, license, intended use, etc.
- Review/discussion by group
- Approval/Rejection (by board, exec, CTO)
- Record of decisions made

Contributions Back

- How to manage flow of IP
- Blogs/discussion boards
- Code contributions

Pre-Approval?

- Facilitates acceptable usage
- Approve license and usage scenario
- Documents steps taken
- Gives developers guidelines

Use of Tools (e.g., Black Duck)

- Find code you didn't know about
- Captures reasoning for decisions
- Helps implement process
- Communicates management intent

The End

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