

# **FREE/OPEN SOURCE SOFTWARE AVOIDING LOCK-IN**

**European Open Source & Free Software Legal Event 2011**

# Avoiding lock-in in the enterprise

- Agenda
  - Why is lock-in a problem?
  - How does F/OSS help to avoid lock-in?
  - Threats to the F/OSS benefits
  - Tackling those threats



# Why is lock-in a problem?

- Little or no real choice regarding service provider
  - No consideration of quality of service
  - No competitive pressure on price



# How does F/OSS help to avoid it?

## A Recap:

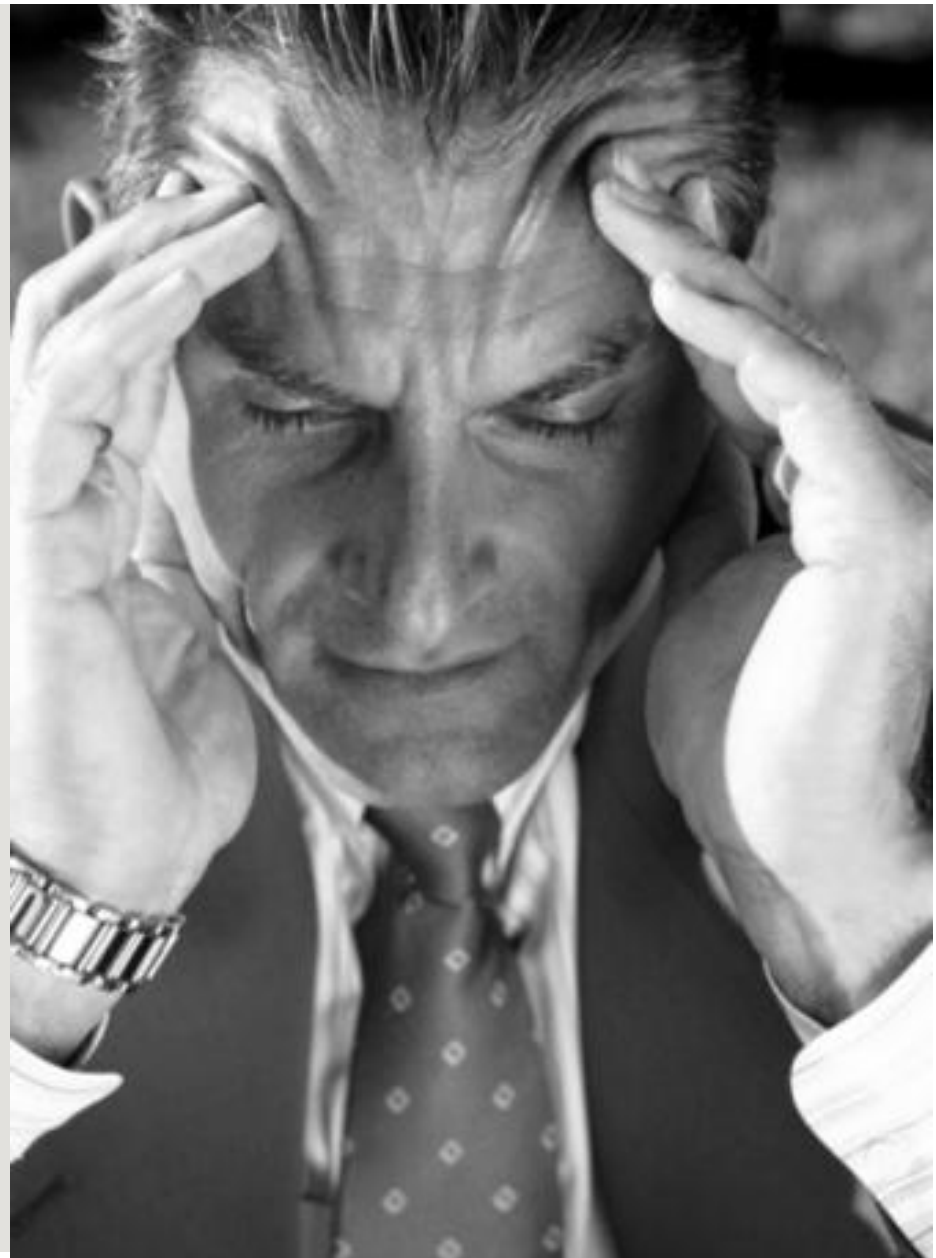
- Not freeware or shareware
- A licence granting certain freedoms
  - Use
  - Distribute
  - Modify (source code available)
- Freedoms granted only to recipients of the F/OSS code



# How does F/OSS help to avoid it?

- Not with self maintenance
  - Linux kernel has approximately 13.5M SLOC<sup>1</sup>
- A choice of service providers
  - Community support
  - Low barriers to entry

<sup>1</sup>Greg Kroah-Hartman, Jonathan Corbet, Amanda McPherson (December 2010)



# How does F/OSS help to avoid it?

- Use of Open Standards
- Standards for interoperation
  - Result from an independent process
  - Adopted by a standards body
  - Available at zero [or low] cost
  - Irrevocable grants under essential patents
  - Platform independent



# How does F/OSS help to avoid it?

- Possibility of forking
  - Publisher perceived as unsympathetic to F/OSS (see OpenOffice ⇒ LibreOffice or MySQL ⇒ MariaDB)
  - Publisher insolvent
  - Support for a particular product or platform ceases (see NCSA ⇒ Apache)

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# Threats to the F/OSS Benefits

- Cloud computing
  - No distribution of core code
  - F/OSS freedom conditions not triggered
  - Intrinsic: third party maintenance not possible for multi-tenanted applications





# Seduced by Open Standards

- Less controversial than mandating F/OSS
- Proportionality
- But lock-in avoided only by full substitution of product
  - Feasible?
  - Cost effective?



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# Tackling the threats

- Futile to resist cloud
- Mandate the use of AGPL, EUPL, etc.
- Don't settle for Open Standards



# Further Questions

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