

Tensions between IPR & Standardisation: Reasons & Remedies
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STANDARDS, PATENTS, AND FREE/OPEN SOURCE SOFTWARE

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FOSS LICENSE ANALYSIS

– highly permissive licenses

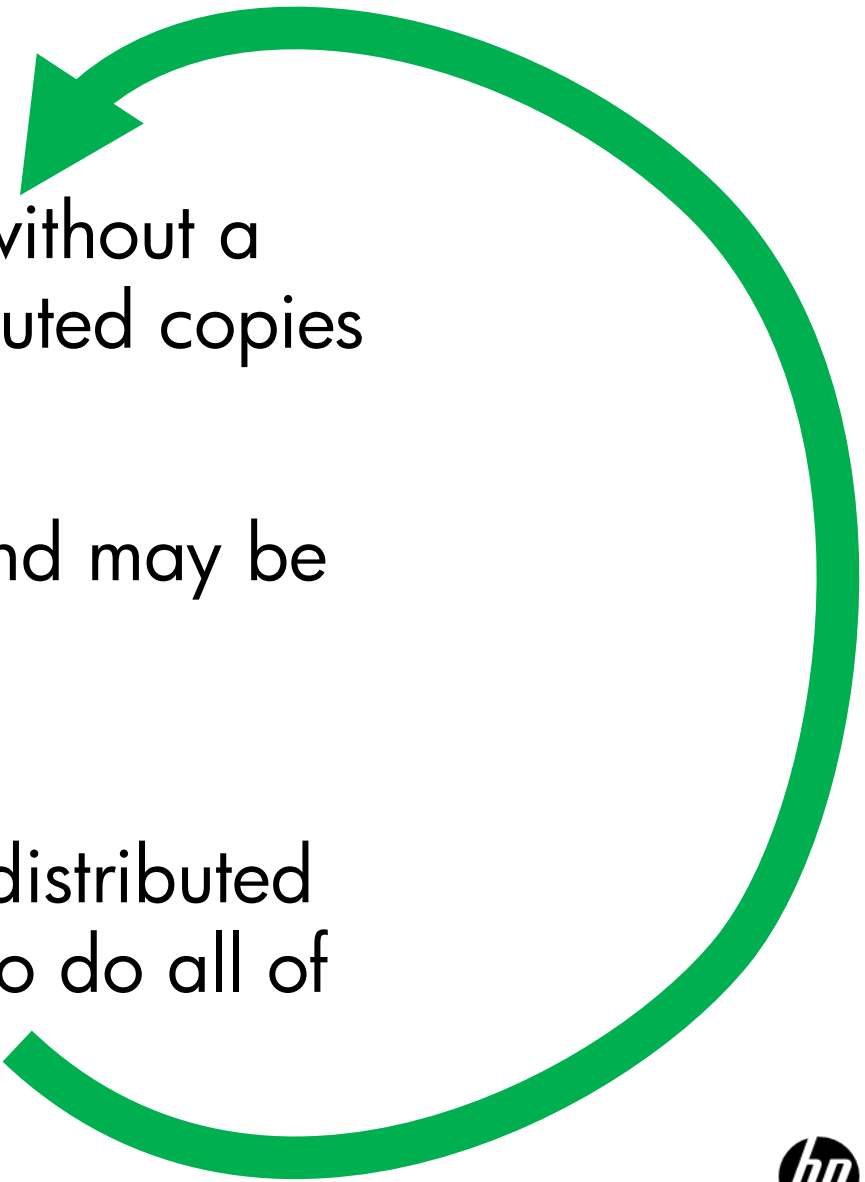
- examples: MIT, BSD, Apache
- permits unrestricted distribution, but does not require it

– “copyleft” licenses

- examples: EUPL, GPL, LGPL, MPL
- prohibits imposition of additional restrictions



FOSS CHARACTERISTICS

- redistribution is permitted without a need to pay fees for distributed copies
 - source code is available and may be modified
 - modified versions may be distributed with permission for others to do all of the above
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What implications do essential patents have for FOSS implementations of a standard?

While many open source licenses are compatible with patent license requirements,
if a patent license is required that imposes fees or other requirements,
one cannot expect the FOSS development dynamic to take place.

