


Open Source, Cloud Computing  
and IPRs

Noam Shemtov  
[n.shemtov@qmul.ac.uk](mailto:n.shemtov@qmul.ac.uk)

Centre for Commercial Law Studies  
Queen Mary

Centre for Commercial Law Studies



---

---

---

---

---

---

---

---

Free & Open Source Software

Centre for Commercial Law Studies



---

---

---

---

---

---


---

---

What is Free/Open Source?

- A philosophy
- A methodology
- A set of licences
- A business model

Centre for Commercial Law Studies



---

---

---

---

---

---

---

---

## Intro to software development

- Source code

```
- //-----  
- // the list of all the possible states for the current FSM  
- //-----  
- enum STATE{ START, INT, FLOAT, SCIENTIFIC, EXPONENT, S1, S2, INVALID } state;  
  
- STATE Transition( char *str );  
- void PrintState( STATE state );  
  
- int main() {  
- // declaring buffer variable  
- char buffer[32] = {0};  
- // getting input from the user  
- cout << "Please enter a number: ";  
- cin.getline( buffer, 32 );  
- // compute final state  
- STATE FINAL_STATE = Transition(buffer);  
- // prints the final state  
- PrintState(FINAL_STATE);  
- return 0;  
- }
```

- Object code

```
- 00101001011101010100101001000101010111
```



---

---

---

---

---

---

---

---

---

---

## Intro to software development

- Modern software rarely written from scratch
- Usually an assemblage of modules, with code gluing them together
- Methods of combining code/modules
  - Cutting and pasting
  - Linking (static/dynamic)
  - Plug-ins



---

---

---

---

---

---

---

---

---

---

## Modern Software Development

- Code from many different sources is likely to mean one codebase contains many different copyright owners.
- Licensing structure can be complex
  - Licence/sub-licence
  - Parallel licences
  - Co-ownership



---

---

---

---

---

---

---

---

---

---

## Proprietary licences typically...

- Limit use to specified (number of) computers
- Restrict number of users
- Restrict types of use (e.g. home/student)
- Restrict jurisdiction
- Restrict assignment/transfer
- (Attempt to) restrict ability to reverse engineer
- Require payment of fees



---

---

---

---

---

---

---

---

## Free Software Foundation

- Four Freedoms
  - The freedom to run the program, for any purpose (freedom 0).
  - The freedom to study how the program works, and change it to make it do what you wish (freedom 1). Access to the source code is a precondition for this.
  - The freedom to redistribute copies so you can help your neighbor (freedom 2).
  - The freedom to distribute copies of your modified versions to others (freedom 3). By doing this you can give the whole community a chance to benefit from your changes. Access to the source code is a precondition for this.

<http://www.gnu.org/philosophy/free-sw.html>



---

---

---

---

---

---

---

---

## Open Source Initiative – OSI Definition

1. Free Redistribution
2. Source Code
3. Derived Works
4. Integrity of The Author's Source Code
5. No Discrimination Against Persons or Groups
6. No Discrimination Against Fields of Endeavor
7. Distribution of License
8. License Must Not Be Specific to a Product
9. License Must Not Restrict Other Software
10. License Must Be Technology-Neutral

<http://www.opensource.org/docs/osd>



---

---

---

---

---

---

---

---

## Examples in the Real World

- Google
  - “Every time you’re using Google, you’re using Linux”
- Amazon
  - Marketplace infrastructure and EC2
- Apache
- GNU/Linux (Ubuntu, Red Hat)



---

---

---

---

---

---

---

---

## Some Business Statistics

- MySQL/Sun - \$1Bn acquisition
- Oracle/Sun - \$7Bn acquisition
- Red Hat turnover > \$500m



---

---

---

---

---

---

---

---

## Why is it big business?

- Big software projects are mainly (maybe 80%) services, and not licence fees
- Use of FOSS reduces R&D costs, through not reinventing the wheel
- Bruce Perens: it’s commodity code that tends to become OS, people can charge for the frills
- Also can be regarded as collaborative R&D
- Efficient and inexpensive



---

---

---

---

---

---

---

---



Centre for Commercial Law Studies



---

---

---

---

---

---

---

---



Centre for Commercial Law Studies



---

---

---

---

---

---

---

---



Centre for Commercial Law Studies



---

---

---

---

---

---

---

---



---

---

---

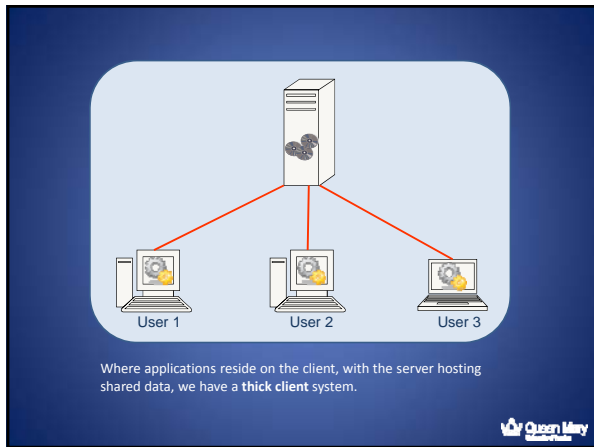
---

---

---

---

---



---

---

---

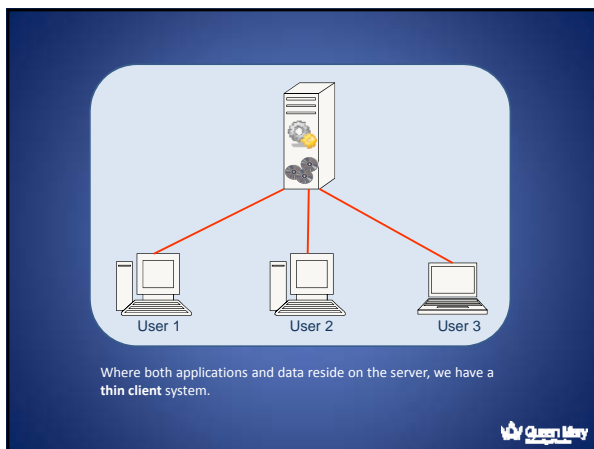
---

---

---

---

---



---

---

---

---

---

---

---

---

## Thick Client Networks

- In thick client networks, the computing power is at the 'edge' of the network, close to the user.
- Advantages:
  - The user has full use of the computing power of the client.
  - The user can process data locally without needing a continuous connection.
- Disadvantages and Issues:
  - Multiple access to the same data can cause database consistency problems.
  - Each local client requires a distinct copy of (and licence for) each application.
  - Application updates must be applied to each client.

Centre for Commercial Law Studies



---

---

---

---

---

---

---

---

## Thin Client Networks

- In thin client networks, the computing power is concentrated in the core server. Data is processed in the server and only results are sent over the network.
- Advantages:
  - Only one copy of an application (although with a multiple-user licence) is required.
  - Application updates can be applied centrally.
  - It can be easier to ensure data consistency.
- Disadvantages and Issues:
  - Requires a continuous network connection to allow the user to process data.
  - The user has to share the computing power of the server.

Centre for Commercial Law Studies



---

---

---

---

---

---

---

---

## Historical Trends

- The history of networked computing tends to show a cycle between thick and thin client networks.
- The availability of powerful clients encourages use of thick client solutions.
- The availability of fast and resilient network connections encourages the use of thin client solutions.
- At different times, one trend has overtaken the other, resulting in shifts from thick to thin clients and *vice versa*.

Centre for Commercial Law Studies



---

---

---

---

---

---

---

---

## Historical Trends

- Mainframe Era:
  - Applications concentrated in dedicated mainframes.
  - Remote access, if it existed, via 'dumb' terminal.
- Microcomputer Era:
  - Applications concentrated in desktop machines.
  - Remote access via LAN or dial-up to remote databases.
- Network Era:
  - Growth of data servers and then data centres.
  - Increasing overhead of desktop administration.

Centre for Commercial Law Studies



---

---

---

---

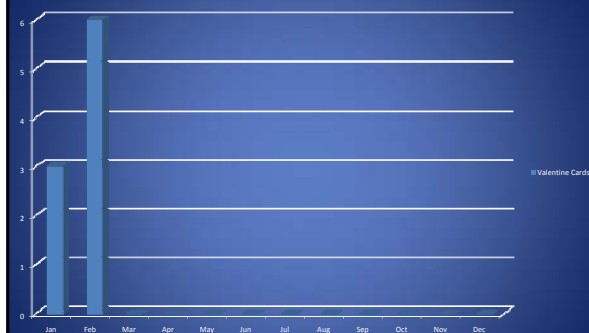
---

---

---

---

Valentine Cards



Centre for Commercial Law Studies



---

---

---

---

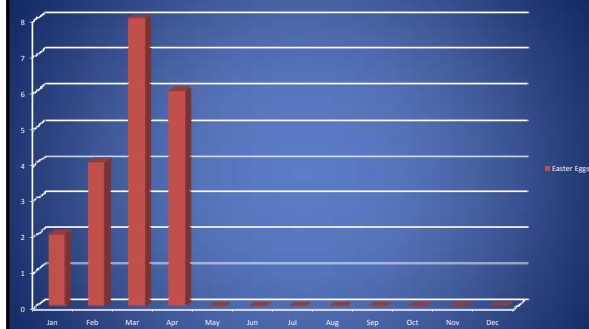
---

---

---

---

Easter Eggs



Centre for Commercial Law Studies



---

---

---

---

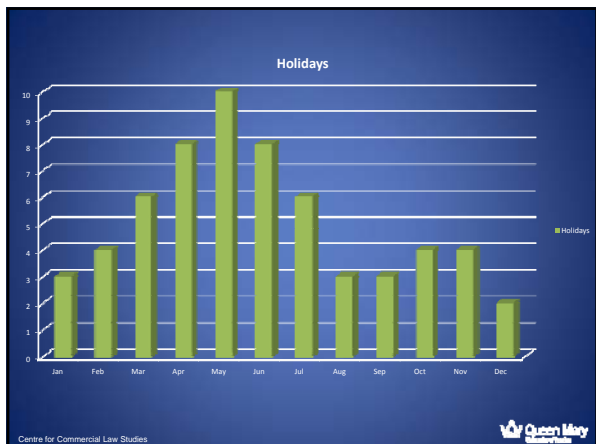
---

---

---

---





---

---

---

---

---

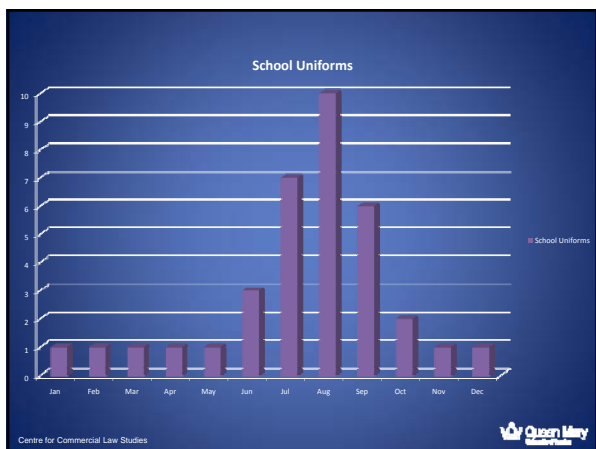
---

---

---

---

---



---

---

---

---

---

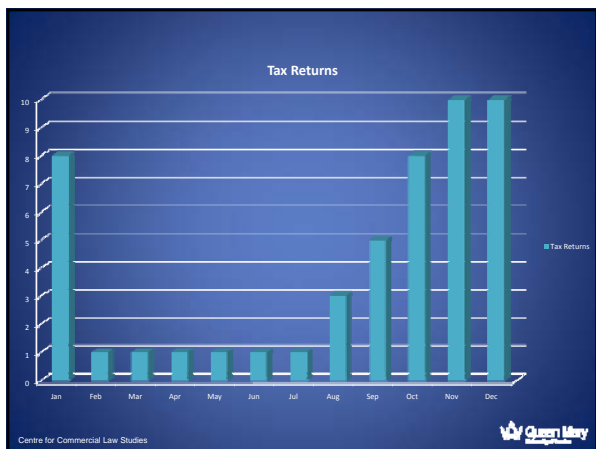
---

---

---

---

---



---

---

---

---

---

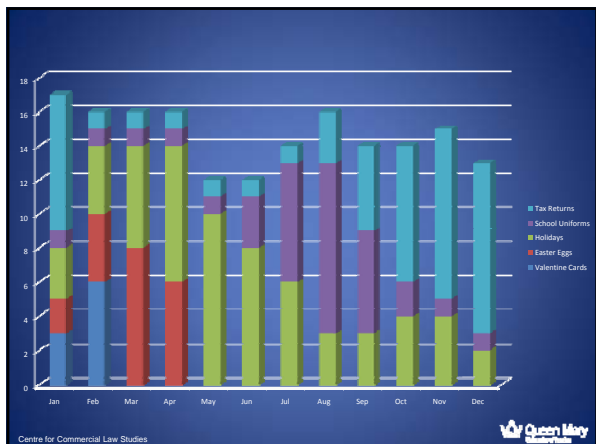
---

---

---

---

---



---

---

---

---

---

---

---

---

---

---

# STRUCTURE

---

---

---

---

---

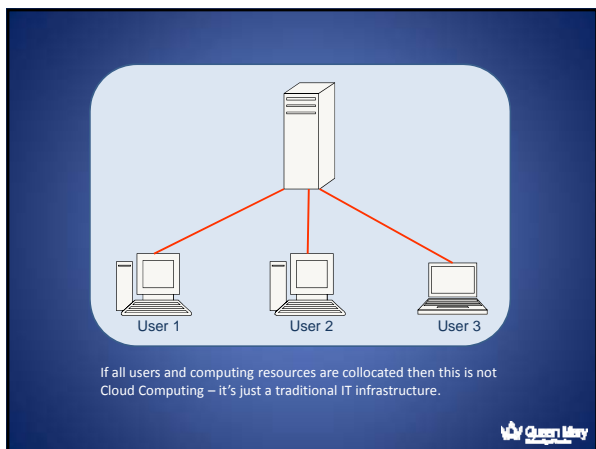
---

---

---

---

---



---

---

---

---

---

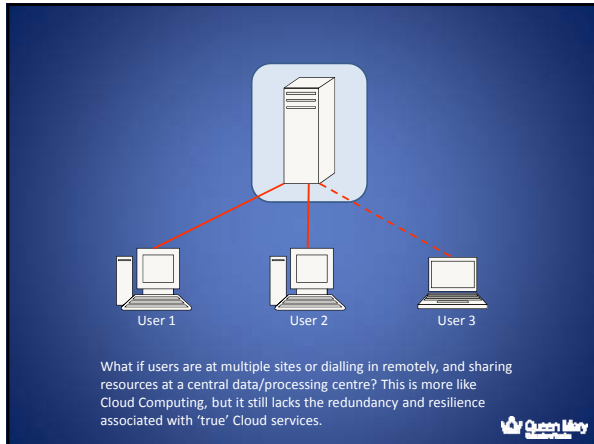
---

---

---

---

---



---

---

---

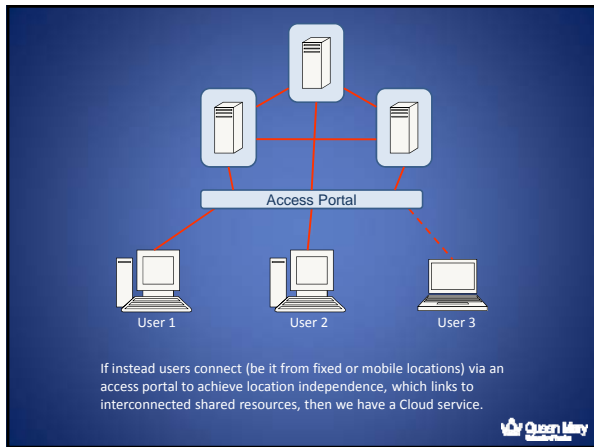
---

---

---

---

---



---

---

---

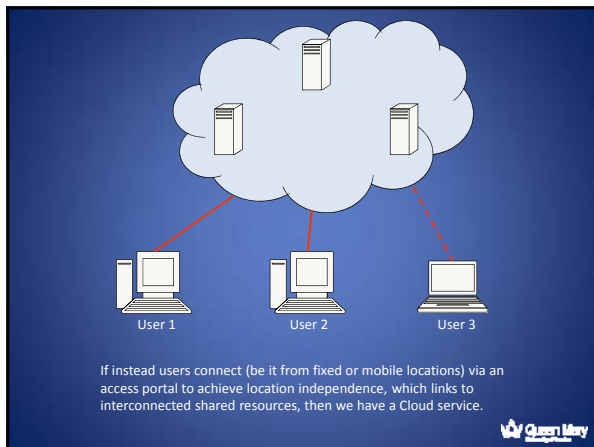
---

---

---

---

---



---

---

---

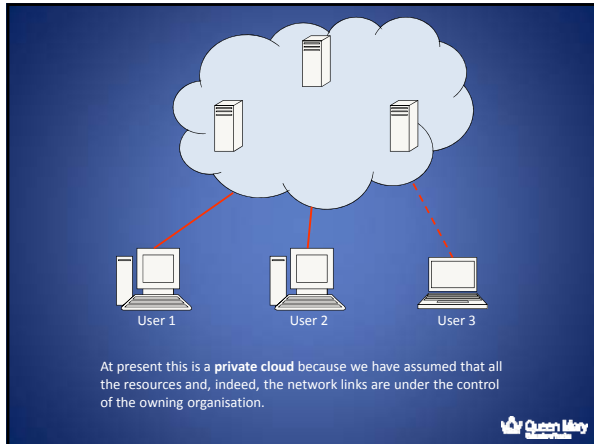
---

---

---

---

---



---

---

---

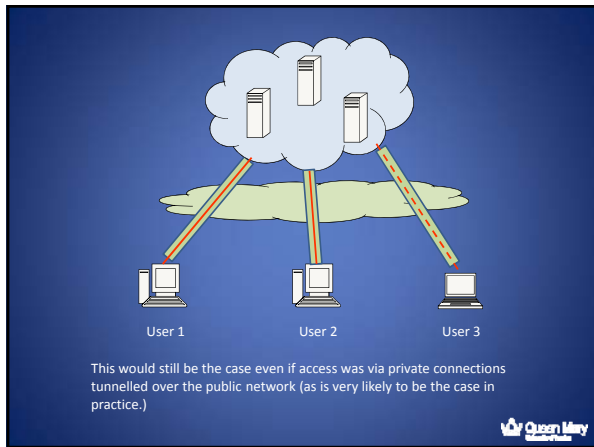
---

---

---

---

---



---

---

---

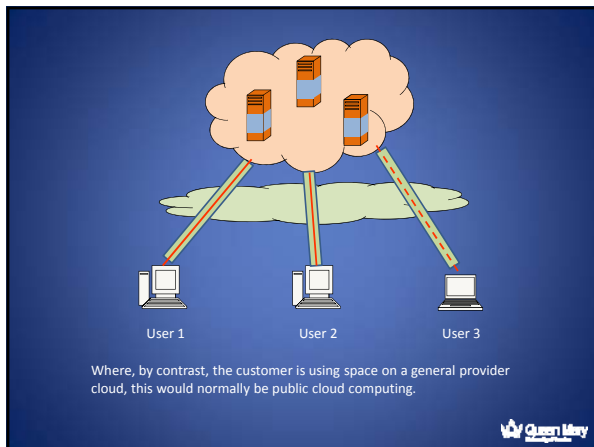
---

---

---

---

---



---

---

---

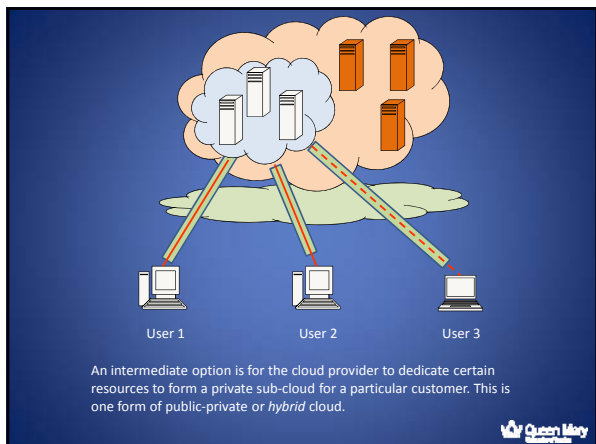
---

---

---

---

---



---

---

---

---

---

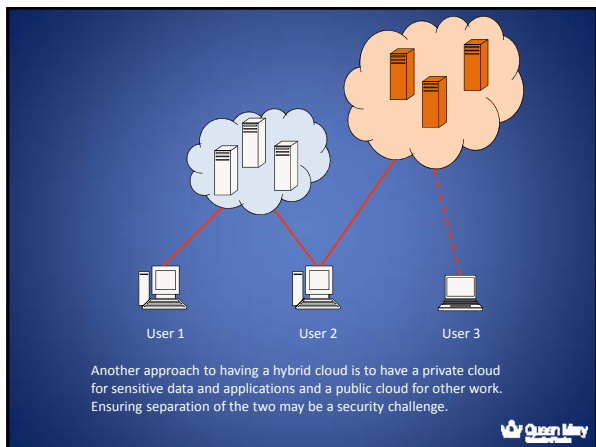
---

---

---

---

---



---

---

---

---

---

---

---

---

---

---

**“X as a Service”**

**Software as a Service**  
**Platform as a Service**  
**Infrastructure as a Service**

also...  
Storage as a Service  
Applications as a Service  
Data as a Service

and so on...

Centre for Commercial Law Studies

Queen Mary University of London

---

---

---

---

---

---

---

---

---

---

## Open Source + Cloud Computing?

 Queen Mary  
University of London

Centre for Commercial Law Studies

---

---

---

---

---


---

---

---

## Using the Advantages of OS for the provision of Cloud solutions

- An example – OpenStack
  - a collection of open source technology products delivering a scalable, secure, standards-based cloud computing software solution
  - All of the code for OpenStack is freely available under the Apache 2.0 license. Anyone can run it, build on it, or submit changes back to the project. The basic premise is that an open development model is the best way to foster badly-needed cloud standards, remove the fear of proprietary lock-in for cloud customers, and create a large ecosystem that spans cloud providers.
  - Who uses: Corporations, service providers, VARS, SMBs, researchers, and global data centers looking to deploy large-scale cloud deployments for private or public clouds leveraging the support and resulting technology of a global open source community.

 Queen Mary  
University of London

Centre for Commercial Law Studies

---

---

---

---

---


---

---

---

## Using the Advantages of OS for the provision of Cloud solutions

- Open source software provides the foundations for many cloud implementations.
- AGPL v.3 released by FSF with the view to plug in a loophole in the ordinary GPL according to which the copyleft provision apply only when the software is distributed, but not when used. AGPL contains an additional provision triggering the copyleft provision in case of use of the software over computer network.

 Queen Mary  
University of London

Centre for Commercial Law Studies

---

---

---

---

---

---

---


---

Presentation Concludes

Thank you for your time

n.shemtov@qmul.ac.uk

Centre for Commercial Law Studies



---

---

---

---

---

---

---

---