

## Preamble

In the software industry, the development, licensing and business model of "open source software" has developed so rapidly in recent years that it is now considered the standard in many areas.

The Open Source Business Alliance, as an association of companies whose commercial success is linked to open source software, and of users and researchers from the open source software environment and the resulting solutions or solutions based on this software helps to promote, ensure the acceptance and dissemination of open source software.

Open Source allows the interactive collaboration between programmers, various organizations and users that contribute directly to its development with their feedback.

In doing so, any developer, user or his representative can and may modify, maintain and further develop the specific software independent of the original manufacturer or copyright holder.

These features make open source software an indispensable basis for sustainable, future added value by the IT industry. Furthermore, the open source culture represents a foundation for the growth of an open minds economy within society.

The cross-linkage of different applications, the trend towards cloud computing and the connection of the future to today require a seamless interaction of established and new solutions. A major focus of the OSB Alliance is therefore to promote the interoperability of open source software and its integration with proprietary systems.

An important foundation for this is the usage and adherence to open standards.

## Our guidelines

1. The use of **open source software** reduces one-sided dependencies on suppliers, supply chains, customers and employees, which thereby prevents bad investments. Doing so avoids head monopolies and unfair prices thanks to equal opportunities for all suppliers and users. Users of open source software are no longer forced to perform a costly reimplementation of existing software when changing a software provider or if a software provider falls out.  
  
Open source software ensures fair competition and therefore leads to greater benefits for users, manufacturers, service providers and society.
2. Open source promotes **innovation**, lowers market entry barriers and thus leads to a more agile IT industry. It is thus the key to a successful IT economy.
3. **Open standards** are an important prerequisite for ensuring interoperability and avoiding single-vendor dependencies. These standards are therefore always to be demanded and promoted. When defining open standards, we orient ourselves on

the definitions from the EU and FSFE. This means that an open standard must satisfy the following conditions<sup>1</sup>:

- The standard is determined by an independent organization, maintained and developed in a fully open consensus or majority-based manner that allows all interested parties to exert their influence.
- The standard is published. The specification is available either free or at a nominal fee.<sup>2</sup>
- As far as the standard or parts thereof are subject to intellectual property rights (patents), these are irrevocably to be made available free of charge.
- The reuse of the standard is not subject to any restrictions.
- The standard does not contain any components or extensions that depend on formats or protocols that themselves do not correspond to the definition of an open standard.

From our perspective it is also important that several interchangeable, usable implementations of a standard are available. Moreover, critical to the usability of the standard is its seamless documentation, whereby an open source reference implementation provides the best security regarding otherwise inevitably resulting uncertainties when interpreting the standard.

4. We stand for **open development processes** and **open collaboration** because our organizations and society as a whole can better achieve their goals in the long run. We therefore expect a high level of transparency in the actions from publicly funded organizations as well. These include, for us in addition to open source:
  - Open Data,
  - Open Innovation and
  - Open Access.
5. The **copyright** to one's own work is inviolable. Openness only works because the parties recognize the benefits, but not by coercion or a softening of usage rights (copyright).
6. Open source software is a key prerequisite for an **auditable IT infrastructure** by all interested parties.
7. The **Open Minds economy** emphasizes sustainable value creation through open forms of cooperation. **Software patents** represent a substantial impediment regardless of the licensing model used.
8. **Net neutrality**, i.e. the equal treatment of all data streams on the internet is the prerequisite for non-discriminatory competition, for free provision of and free access to information, and for collaborative exchange. Otherwise open source communities would be curbed in their potential for dissemination and cooperation.

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<sup>1</sup> See also: [European Interoperability Framework for pan-European eGovernment Services](#), Version 1.0 (2004) [ISBN 92-894-8389-X](#) Page 9 and Free Software Foundation Europe, Definition of Open Standards, <http://fsfe.org/projects/os/def.de.html>, Version from 12.20.2011

<sup>2</sup> A nominal fee covers at most the costs resulting from the direct distribution.

## Political conditions for the IT industry

The Open Source Business Alliance demands the following from policy makers:

1. **Free Communities should be promoted** because these open up creative potential in software development, which ultimately leads to more innovation as a prerequisite for a stronger IT economy.
2. The results **of publicly funded developments** (by authorities, universities, etc.) should be made freely available to the community. Regarding software, this means a **distribution and licensing as open source software**.

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### About the Open Source Business Alliance

The Open Source Business Alliance - abbreviated OSB Alliance - counts over 230 members and is one of Europe's largest network of businesses and organizations that develop, are based on, or implement open source software.

The goal of the Alliance OSB is to make open source software and other forms of open cooperation more successful. The OSB Alliance achieves its goal by disseminating information, creating favorable conditions for manufacturers and users, as well as by the actively networking manufacturers, customers and service providers. Especially interoperability between different open source systems and with proprietary software plays an important role.

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