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The Impact of Open Sources and Open Contents

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What are the driving forces of today' society

Development in information technology and information processing is a very important if not the most important, force behind our progress in areas such as science, economy and law as well as publishing. Other fields tend to inherit or borrow concepts and new terms from the field in front. Lets make the following two assumptions:

1. Development in information technology is a main force in our society today.
2. Other fields tend to inherit and borrow solutions and concepts from information technology.

This leads us to conclude that solutions that are established in the field of information technology may have a major influence on the development of our society as well.

If we accept these conclusions we should look carefully at the development of information technology and computers.

Brief history of computer programs and copyrights

Early history

In the early history of computing computer programs followed new computers and the computer community shared software. In the computer community software sharing was a norm as old as computers.

This situation changed in the early 1980. Computers then considered modern such as VAX and the 68020 were delivered with their own operating systems, none of them free software. In order to get hold of a copy of the operating system you had to sign an agreement. As Richard Stallman put it, the result was: *This meant that the first step in using a computer was to promise not to help your neighbor. A cooperating community was forbidden. The rule made by the owners of proprietary software was, "If you share with your neighbor, you are a pirate. If you want any changes, beg us to make them."*

Gnu Project

Richard Stallman did not like the new situation. In 1983 he started the GNU Project and thereby a whole community. This community developed a new copyright license called GNU General Public Licence or GPL for short.

The idea behind GPL is from their homepage. On GPL's homepage you can read about their original ideas and intentions, <http://www.fsf.org/copyleft/gpl.html>:

The licenses for most software are designed to take away your freedom to share and change it. By contrast, the GNU General Public License is intended to guarantee your freedom to share and change free software--to make sure the software is free for all its users.

General Public Licenses are designed to make sure that you have the freedom to distribute copies of free software (and charge for this service if you wish), that you receive source code or can get it if you want it, that you can change the software or use pieces of it in new free programs; and that you know you can do these things.

To protect your rights, we need to make restrictions that forbid anyone to deny you these rights or to ask you to surrender the rights. These restrictions translate to certain responsibilities for you if you distribute copies of the software, or if you modify it.

The GNU Project has over the years produced a lot of high quality software. This community used the term "Free software", and the organisation Free Software Foundation is based in the same community.

Open Source

Corporate America did not accept the concept of free software and GPL. It is believed that this is mainly because of the term free software. The intention is free as in liberty and not free as in free of charge (gratis). Most people think of free as in free of charge and this does not sound good to Corporate America. The community needed a new term that could be more acceptable in broader circles.

The term "Open Source" can be dated back to 3rd February 1998, were it was the result of a strategy session held in Palo Alto, California, US. The people who were present were Todd Anderson, Chris Peterson, John `maddog' Hall, Larry Augustin, Sam Ockman and Eric Raymond.

Since then the use of the term "Open Source" has exploded. Now two years later the term is well established.

Open Source Organisation

The community behind the Open Source term has established their own organisation (<http://www.opensource.org/>). The following quote is from their web page:

Open-source software is an idea whose time has finally come. For twenty years it has been building momentum in the technical cultures that built the Internet and the World Wide Web. Now it's breaking out into the commercial world, and that's changing all the rules. Are you ready?

Other activities originated from the term Open Source

Documentation

For documentation several initiatives and different licensing models exist:

- OpenContent License, homepage: <http://opencontent.org/opl.shtml>
- Open Publication License, homepage: <http://opencontent.org/openpub/>
- A publishing company based on Open Source ideas with the name OpenDocs (<http://www.opendocspublishing.com/>) has also been established.

The GNU Project has their own Licenses for documentation, called GNU Free Documentation License (<http://www.fsf.org/copyleft/fdl.html>).

Science

In science there is established a project called The OpenScience Project with the following homepage: <http://www.openscience.org>.

Changing the rules

Why can Linux compete with Microsoft?

Lets look at some strategies witch have been used of bigger software companies against smaller to get reed of them as compitors:

1. Bay the competing company.
2. Selling competing product cheaper or give it away for free and by this undermining the potential income for the competing company. This was the case with Netscape.
3. Taking bad about the competing product in an intelligent way a so called FUD (Fear Uncerntity and Doubt) campaign against potential customer of the competing product

Point one: With the GPL copyright under witch Linux is developed it is impossible to bay Linux, because there is so many contributors and you have to bay them all out, and code developed and released under GPL will be free for ever and can only be used in other GPL product. If you managed to bay out all the key developers of Linux every body else can just pick up the tread and continue the development of Linux and make Linux suit his or hers need.

Point two: It is impossible to sell a competing product cheaper when Linux can be downloaded free of charged from Internet.

Point three: Microsoft has tried a FUD campaign against Linux it hasn't worked. I think it is because the Linux community and the potential Linux users are to intelligent to belive on FUD campaign.

In addition to this the source code for Linux if free avaibile on Internet so everybody can inspect the code by them selves. The source code for operative system delivered by Microsoft is a company secret and as far as I know will not be released for free.

The conclusion here is by using the GPL copyright the GNU, Open source and Linux community has changed the competing rules, and by this made it much more difficult for Microsoft to compete against Linux.

Three examples of open source projects

Apache

According to Netcraft survey of July (<http://www.xxx>) are over 60% of the web servers on Internet using Apache as their server software. Netcraft have in their July survey asked more than 18 million websites about which server software they are using.

Linux

Use of linux Netcraft survey % . Other market research says Microsoft have about 95% of the market for desktop computers.

Cygnus Solutions

Cygnus Solutions was founded in 1989 with \$6.000 in startup capital. The Linux computer firm Red Hat bought the firm in 2000. In 1998 Cygnus has been on San Jose Business Journal's Top fastest growing Private Companies three year in a row. Cygnus was in 1999 on the ranking of the Software 500 list (based on revenue off all software businesses in the world). In 1999 Cygnus was the largest private held company in the embedded software industry and has the world's top microprocessor companies as customer as well as leading consumer-electronics, Internet, telecommunications, office automation, networking, aerospace and automotive companies.

Cygnus Solutions is based on Open Source software, and the software developed by Cygnus was released with GPL licenses. The Open Source model provided a blueprint for the companies business model.

Marketing my opinion is.

Forrest Research report

Today 17th of August I have checked news at the Internet cafe at the conference and have some interesting news. According to Wired (<http://>) Forrest Research has just released a report with the title: OPEN SOURCE CRACK THE CODE. The main point in the report are:

- Open Source standards will completely reshape the software industry by 2004.
- Within four years, all traditional software vendors will need to change their proprietary business models to open-source ones, or drastically lower the price of enterprise application licenses.

This report was based on interview with 2.500 IT-managers. The main reason they go for open source is because of security.

UCITA

Uniform Computer Information Transaction Act

14th February this year passed Virginia House of Delegates this Law as the first state in US. Later has also passed this Law. This law may change the whole landscape about every thing that has to do with software. I think that James Neal will tell something about UCITA later so I will just focus about a few points.

First this law is about licensing not buying. If this law get foothold you will not be able to buy something that contain computer code if you do'nt agree with the licenses. And if you dont comply with the license you are a criminal.

The licensed software may not have any warensis what so ever.

Open source withc you can download free of charge from the net are responsible for any damanges their use may cause.

The Linux Documentation Project (LDP)

From their homepage (<http://www.linuxdoc.org/guides.html>):

The Linux Documentation Project (LDP) is working on developing good, reliable documentation for the Linux operating system. The overall goal of the LDP is to collaborate in taking care of all of the issues of Linux documentation, ranging from online documentation (man pages, HTML, and so on) to printed manuals covering topics such as installing, using, and running Linux. Here is the Linux Documentation Project Manifesto and Copyright License for LDP works.

Boilerplate license

The Linux Documentation Project has a boilerplate licence for use in documentation, which is presented in its entirety.

"Here is a sample copyright notice and "boilerplate" license you may want to use for your work:

Copyright (c) 2000 by John Doe (change to your name)

Please freely copy and distribute (sell or give away) this document in any format. It's requested that corrections and/or comments be forwarded to the document maintainer. You may create a derivative work and distribute it provided that you:

- 1.Send your derivative work (in the most suitable format such as sgml) to the LDP (Linux Documentation Project) or the like for posting on the Internet. If not the LDP, then let the LDP know where it is available.
- 2.License the derivative work with this same license or use GPL. Include a copyright notice and at least a pointer to the license used.
- 3.Give due credit to previous authors and major contributors.

If you're considering making a derived work other than a translation, it's requested that you discuss your plans with the current maintainer."

Our activity on authors' agreement, copyrights and Open Content

We have several activities according to copyrights here focus will be on authors agreement.

Authors' agreements

RBT is co-ordinating a project relating to the electronic publication of Grey Literature. For more information about the project, see web page http://www.rbt.no/e_publ/.

Document types:

The scope of the project is limited to documents produced in the author's own institution, the so-called Grey Literature. Grey Literature is the common term for published material that has not been produced by a publishing company.

Types of documents considered relevant to the project are:

- Dissertations
- Ph.D. theses
- Internal reports
- Articles
- Conference publications where the institution is in part responsible for the conference
- Periodicals produced by institutions within the UH(?) sector

This list is not exhaustive but representative of what may be relevant.

Copyright

In the first instance, nothing should be published before all questions of right to the material have been settled. It is the task of the Project to clarify which choices are open to the author and the institution regarding the questions of right, and what the consequences of such choices may be. It is the aim of the Project to recommend the use of one or more different types of authors' agreements and the type of copyright registration (or: notation?) to be used for the published work.

Summary of interest groups involved in publishing

The following (three?) interest groups are normally involved in publishing and the use of published materials:

- Author
- Publisher
- Reader
- Society

The constituents and interests of the (three) chosen categories can vary somewhat according to circumstance.

Author

The term "author" is taken to mean the creator of an intellectual property. It is here taken first and foremost to mean written work, but the term can in principle include creators of all work protected by copyright.

Author's aims: There are many different interests to be considered but here we will focus on the following to interest:

Authors want to earn money

Publisher

Included in the term "publisher" are: Publishing companies, organisations, corporations, institutions, and the author in person. Publishing companies hold a special position in relation to other publishers.

Publishing companies: These exist exclusively in order to publish, and they are largely private companies whose goal it is to generate the greatest economic benefit for their owners.

Society: The society have some reasons for establishing law that gives authors and publishers legal protection (read copyrights) on their work. The society wants more material published and access to more material and information in return.

Suggested types of agreement

For discussion, RBT would suggest five different types of agreement:

A: The publishing company model

- The author transfers all rights to the publishing company and cannot employ another publishing company or publish the work himself elsewhere.
- The author is paid by the publishing company, subject to agreement.
- The publishing company edits, prints and publicises the work.
- Free copying of the work is not permitted.
- Other persons may not alter the work.
- If the work is used or referred to, the origin must always be acknowledged.

B: The author model

- The author retains all rights to the work and may employ another publishing company or publish the work himself elsewhere.
- The publishing company/publisher acquires the right to publish the work, but not exclusive and full rights to the work.
- The author is paid by the publishing company subject to agreement.
- The publishing company edits, prints and publicises the work.
- Free copying of the work is not permitted.
- Other persons may not alter the work.
- If the work is used or referred to, the origin must always be acknowledged.

C: The institutional model

- The author retains all rights to the work and may employ another publishing company or publish the work himself elsewhere.
- The publishing company/publisher/institution acquires the right to publish the work, but not exclusive and full rights to the work.
- The author does not receive payment for the work.
- The publishing company/(?publisher)/institution edits, prints and publicises the work.
- Free copying of the work for non-commercial purposes is permitted.
- Other persons may not alter the work.
- If the work is used or referred to, the origin must always be acknowledged.

D: The academic model

- The author retains all rights to the work and may employ another publishing company or publish the work himself elsewhere.
- The publishing company/publisher/institution acquires the right to publish the work but not exclusive and full rights to the work.
- The author does not receive payment for the work.
- The publishing company/institution edits, prints and publicises the work.
- Free copying of the work both for commercial and non-commercial use is permitted.

- Other persons may not alter the work.
- If the work is used or referred to, the origin must always be acknowledged.

E: Open Content model

- The author retains full rights to the work and may employ another publishing company or publish the work himself elsewhere.
- The publishing company/publisher/institution acquires the right to publish the work but not exclusive and full rights to the work.
- The author does not receive payment for the work.
- The publishing company/institution edits, prints and publicises the work.
- Free copying of the work both for commercial and non-commercial use is permitted.
- Other persons may make alterations to the work.
- If the work is used or referred to, the origin must always be acknowledged.

The author retains all rights and may publish the work wherever he may wish. Other persons can also publish the work for commercial purposes. Other persons may make alteration to the work but must declare what changes have been made; they are bound by the Open Content model and cannot add clauses imposing limitations on the work being referred to.

Sources

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ISBN 1-565-92582-3

Raymond, Eric S.: *The Cathedral and the Bazaar : musings on Linux and Open Source by an accidental revolutionary.* - Sebastopol : O'Reilly, 1999. - ISBN 1-565-92724-9

Linux Documentation Project: <http://www.linuxdoc.org/>

Other sources are cited in the text.