

# Lessons Learned From Corporate Open Source Compliance

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# Introductions – Andrew Wilson

- Director of open source compliance at Intel Corp
- Involved with FOSS in some capacity since the late 1980s.
- Chair of the Carrier Grade Linux steering group 2002-2005.
- Co-author and instructor for Intel's internal open source training
- Former venture capitalist and dealmaker with Intel Capital
- I have a longtime interest in the interaction of technology, law, economics, and society



# Disclaimers!

- I am not a lawyer; this is not legal advice
- One size never fits all. What is right for Intel may be wrong for you.
- Offered in the hope that some of our experience may be helpful for you
- Open source is about sharing



# Open source community norms\*

- Self-organizing groups, cyberspace natives
- Transparency
- Meritocracy
- Direct, open, sometimes brutal communication
- Self motivation (also known as “when you have an itch, scratch it”)

*\*includes Free, Libre, and Open Source*



# What you want to accomplish

- Create value for your company, while
- Demonstrating your use of open source SW is in compliance with licenses
- Being a good citizen of the open source community
- Ensuring your proprietary SW is properly licensed and copyright-clean



# What you don't want



# Tactics and tools

- Documented process and policies
- Effective training to communicate process and policies
- A central, efficient decision-making forum for approving code releases
- A strong working relationship with corporate legal, security, and SW quality groups
- Automated code scanning tools



# Documented process and policies

- To be effective, process and policy must be clearly communicated, perceived as fair and reasonable
- Therefore they must be documented and defensible
- Our mantra: Just Enough Process! (and never “process for its own sake”)



# Effective training

- Web-based training to cover the most important points, suitable for all SW developers
- Instructor-lead training for in-depth education of the most active open source developers
- {ATW experience} Open source compliance is a somewhat dry topic, in-person training is usually more effective



# Central, efficient decision-making forum

- One open source approval board for all Intel\*
- Pre-work needed before requesting approval
  - IP plan
  - Management OK
- Standardized presentation template for approvals; crisply captures “what, why, when, how, and who” for open source usage
- Approval board meets on regular schedule

*\*Subsidiaries Wind River and McAfee have their own boards which implement the same policies*



# Central, efficient decision-making forum (cont.)

- You **will** leave the approval board with a decision:
  - Approved
  - Conditionally approved but with things to fix
  - Not Approved
- Decisions usually made by consensus; absent consensus, chair will decide
- Transparency: Decisions are well documented, minutes broadly circulated and archived for future reference
- Well-defined appeal path to senior management for “Not Approved”
  - But it is rare for senior management to overrule



# Who is on the approval board?

- The chair (as part of his job) plus largely self-selected individuals who are domain experts, including senior Linux maintainers, lawyers, marketing
  - People who attend because they interested and want to add value (self motivation)
- Meritocracy: the more frequent and valuable your contributions, the greater your influence
- Many from Open Source Technology Center but with all major Intel business groups represented
- Global membership: we meet regularly in three different time zones (APAC, Americas, EMEA)



# Advantages of talking to the review board

- Internal review board accurately models the reaction of the external open source community
- Directness: Members are encouraged to speak their minds openly
- It is much better to find out you are doing something that the open source community will not like, and fix it, before releasing externally



# Strong working relationships

- The open source review board has a tight relationship with Legal, QA, security, and standards & SIGs
- Open source review board will refer projects to other bodies when needed; they will refer projects to us
- Open source review is not a special, arcane process; it is an integral part of the methodology for producing a good SW product



# Automated code scanning tools

- Also part of the release process
- Necessary but not perfect, sometimes results need interpretation by experts



# How to make open source review fail

- Be seen as political and as playing favorites
- Be seen as bureaucrats intent on process and not adding value
- Be seen as open source zealots and fanatics (note: it is OK to be open source purists!)
- Use only junior people
- Schedule meetings erratically or make agenda slots hard to obtain
- Be overruled frequently by senior management
- “We are shipping next week!”



# Looking to the future

- “There is no constant except change” - Heraclitus
- Computing is certainly changing: cloud, web technologies, wearables, internet of things ... new usage models, new compliance challenges
- The last open source license has not yet been written ... Licensing models change over time as well
- Open source hardware is a new frontier





**We're at the tail end!**



**Questions!**