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## STANDARDS BLOG:

### The Oxymoron of Corporate Controlled "Community" Projects

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This morning brought the significant - and long overdue - [announcement](#) of the launch of an independent foundation to host development of the open source, ODF-compliant OpenOffice productivity suite. The good news of that lost decade is that under Sun's ownership and control, the OpenOffice suite became the most successful and widely implemented alternative to Microsoft's Office, providing at least some degree of competition in a niche where it had been missing for far too long.



The bad news is that in the same time period the OpenOffice suite could have become so much more. As with other single-company controlled efforts in the past (e.g., the Eclipse Foundation, before IBM spun it out into an independent organization), other companies that could have, and would have, made significant contributions of personnel, funding and promotion stood aside.

Why? Because Sun maintained too much control. This reality has played out over and over during the past 20 years - when one or a few companies maintain too much control, others stay away, because they can't be sure that the project will be managed for everyone's benefit.

Knowing that an organization is "safe" to join, and will be managed for the benefit of the many and not of the privileged few, is one of the key attributes and assurances of "openness."

But there's another risk, which is even greater. Recently, we have seen Oracle acquire companies with properties of great community significance (e.g., MySQL, OpenOffice, Java, and more), and Novell, custodian of OpenSuse and vendor of Novell Linux (one of the three most successful Linux distributions), has been put in play by a private equity firm. What this highlights is the reality that even companies with good credentials as stewards for open source projects cannot control the future of these not so public after all projects when they are themselves acquired.

Standards developers realized this danger over 100 years ago. That's when companies first started setting up independent, incorporated membership organizations to host, maintain, and protect standards. In the last 25 years, as many as 1,000 standards development and promotional consortia have been set up, often for as little as \$10,000. It's easy to do, there are plenty of models to follow, and everyone understands everyone else's rights.

In the world of open source, however, this model has only rarely been followed, in part as a result of the light, fast moving, virtual culture of FOSS development, in part because of lack of familiarity with the legal structures used by standards consortia, and in part because FOSS projects launched by the community typically have no funding at all.

*Knowing that open source software can be forked is not the same as knowing that the project you spent years of your life building can suddenly be abandoned or redirected in a fashion that was never intended*

Some progress has been made. For example, both the Apache and Eclipse Foundations regularly take on new open source projects, thereby providing the legal structure needed to protect these new initiatives. But they can only take on so many.

Here's what the world of FOSS and open source needs from a legal perspective in order to protect community efforts and ensure the greatest participation in those efforts:

1. Open source forges need to provide a light-weight, free (or very inexpensive), turnkey, legal identity for small projects lacking economic support.
2. For projects that are likely to become broadly important, we need more foundations like Apache and Eclipse that can provide a more full service, nurturing legal as well as development environment.
3. Most importantly, corporations that wish to encourage wide participation by the development community must spin their projects out as independent legal entities. Only by doing so can they guarantee to those they encourage to participate that their efforts will not later be subverted or financially abandoned. Knowing that open source software can be forked is not the same as knowing that the project you spent years of your life building can suddenly be abandoned or redirected in a fashion that was never intended.

If these recommendations are followed, everyone, at every level, from individual developers to the corporations that in the past have provided most of the funding

and developers for projects like OpenOffice, will ultimately be safer and better rewarded.

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