

Open Source Compliance: The 101 & The Art & Science

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Agenda

● The 101 of Open Source Compliance [operation, not legal]

- Why
- What
- Who
- How
- Lessons

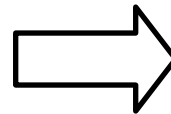
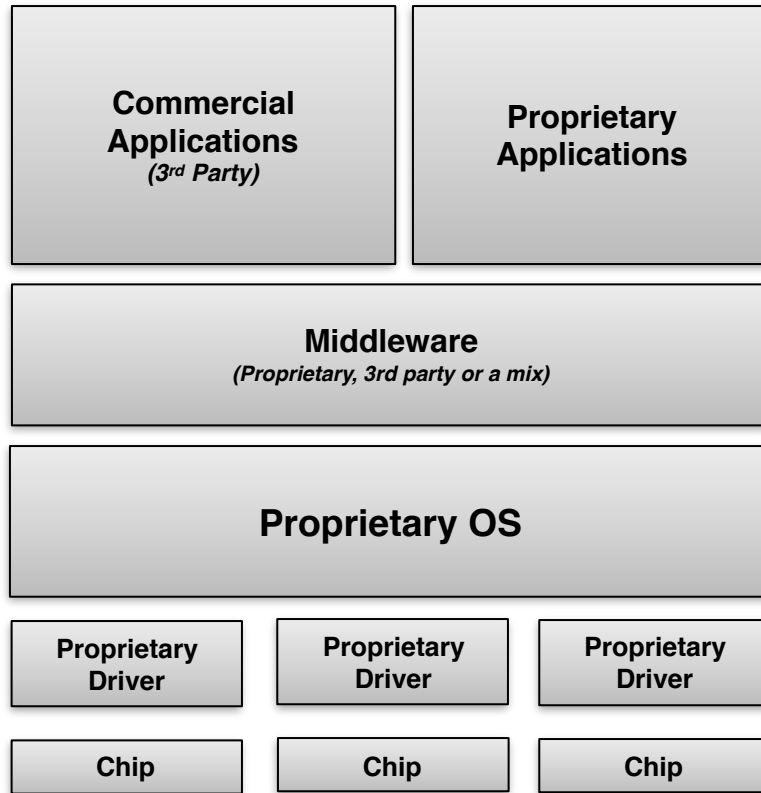
● The Art & Science

Why do we need an open source compliance program?

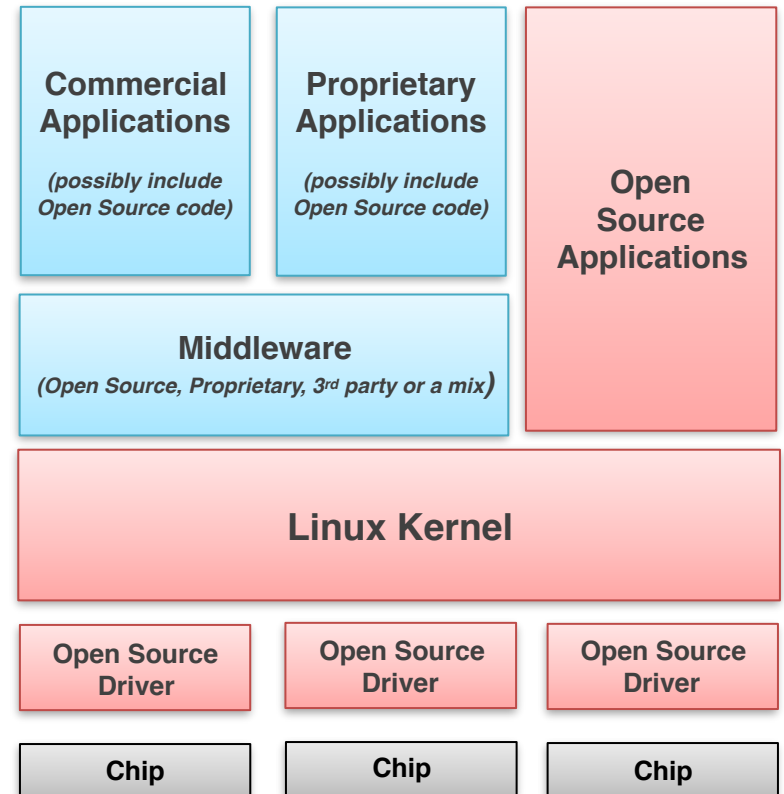


A Changing Business Environment

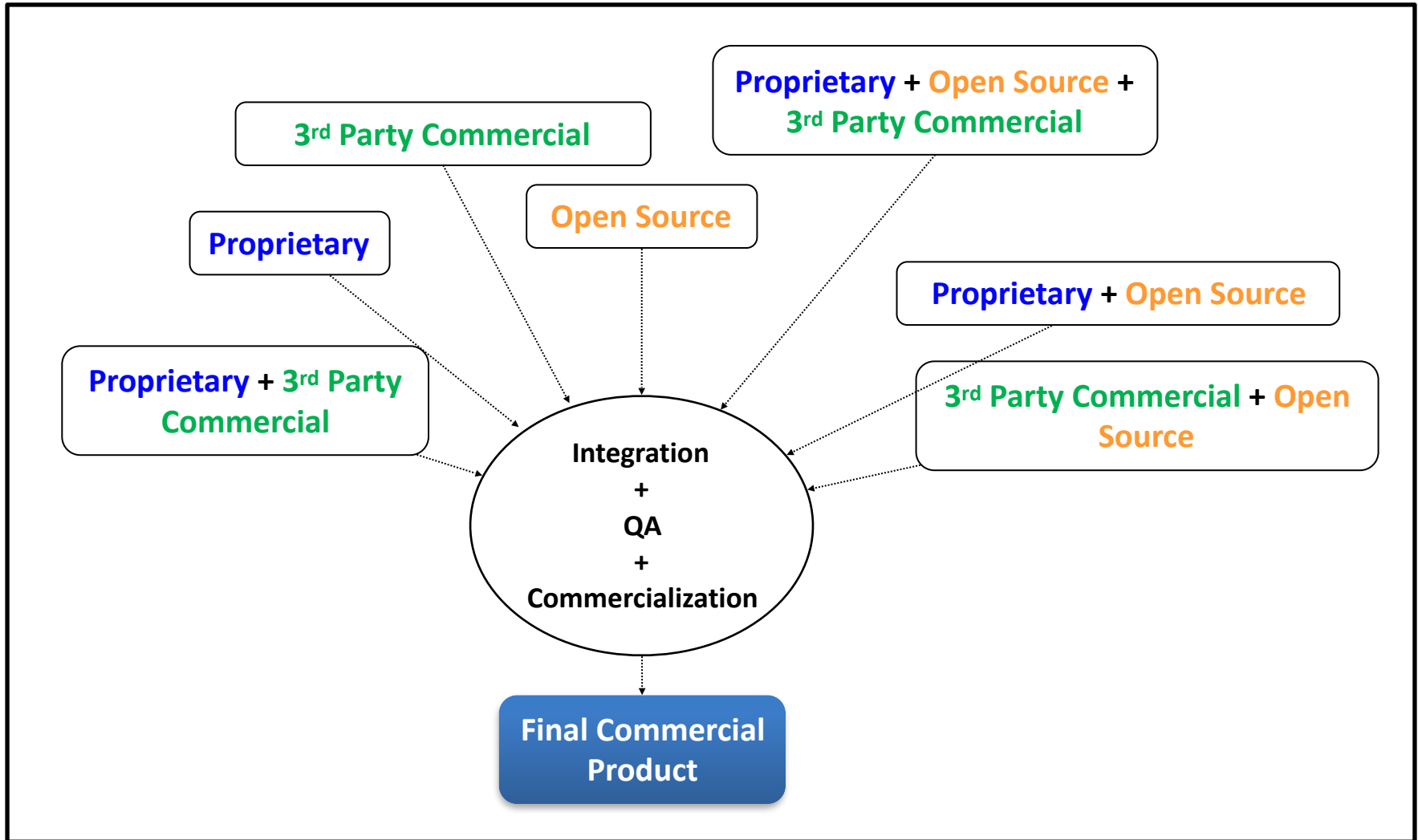
From



To



Multi-Source Development Model



What Has Changed?

- **The business environment is not as predictable as in a purely commercial environment**
 - Open source licenses are not negotiated
 - There are potentially tens of licenses involved
 - There are potentially thousands of contributors
- **Risks are now mitigated through**
 - Design and engineering practices
 - **Compliance**

What is open source compliance?



Basic Definition

1. Observe the copyright/attribution/etc. notices
2. Satisfy the license obligations

And while you're at it, protect product differentiation.

Results of Non-Compliance

- Become compliant
- Appoint an officer to oversee compliance efforts
- Publish licensing notice on their website
- Notify previous recipients of the product that the product contains GPL code and inform them of their rights to receive a copy of the source code
- Provide additional notices in product publications
- Make available the complete and corresponding source code
- Cease binary distribution of the open source software in question until it has published complete corresponding source code on its web site
- Pay an undisclosed amount of financial consideration to the plaintiffs

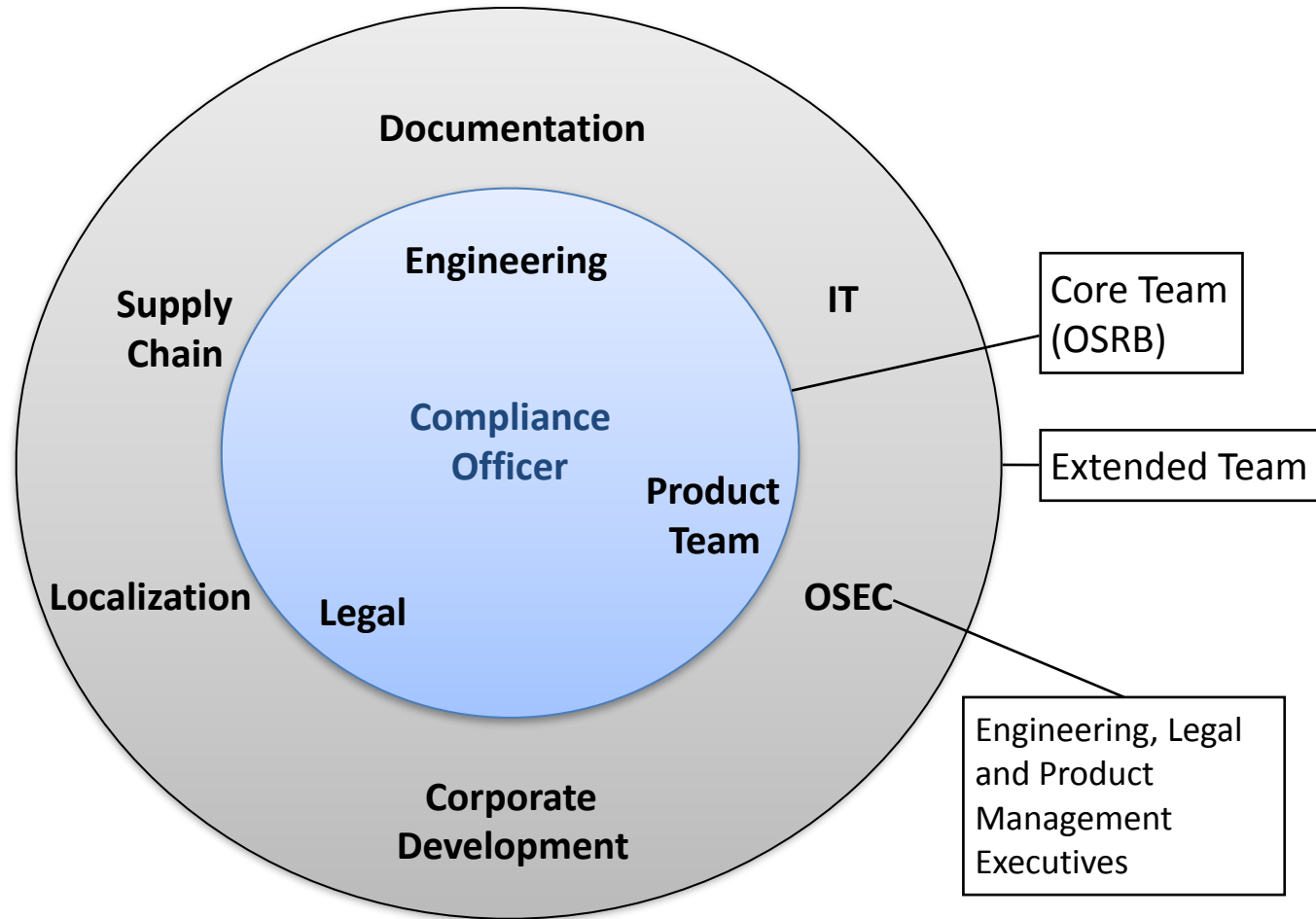
3 Key Lessons Looking at Non-Compliance Disputes

- Ensure Compliance Prior to Product Shipment
- Non-Compliance is Expensive
- Education and Training

Who oversees open source compliance?



Teams and Individuals



How to implement an efficient and light-weight compliance program?



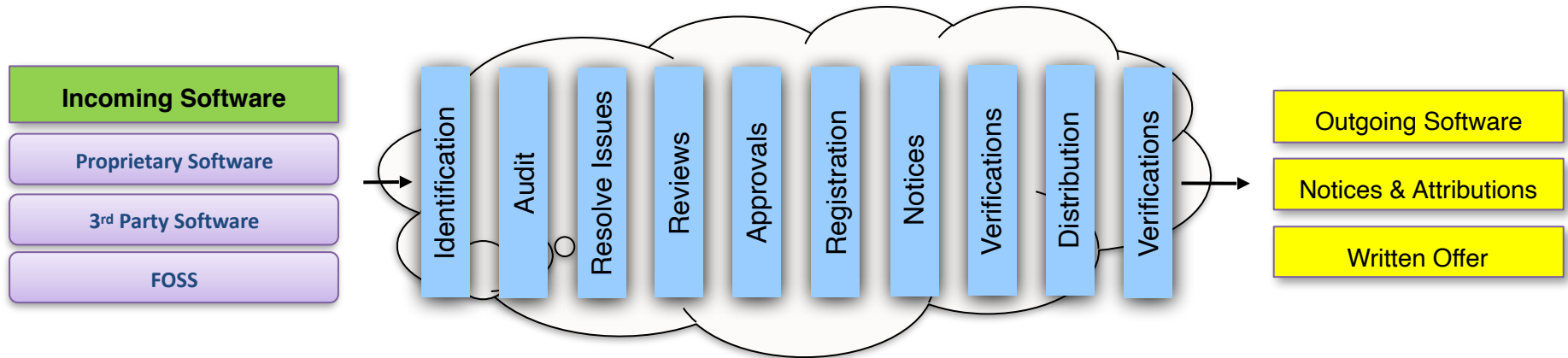
Element of a Successful Compliance Program

Strategy	Compliance Strategy	Inquiry Response			
Policy	Usage	Contribution	Distribution	Auditing	Obligations Fulfillment
Process	Usage	Contribution	Distribution	Auditing	Obligations Fulfillment
Team	Core Team (OSRB)	Extended Team			
Tools	Auditing Code	Project Management	Inventory Management	Linkages Analysis	Code Inspection
Education	Formal Training	Guidelines	Brown Bag Seminars	Invited Speakers	Employee Orientation
Automation	Usage e-Form	Contribution e-Form	Templates	Workflow	
Messaging	Internal	External	Internal Web Portal	External Web Portal	

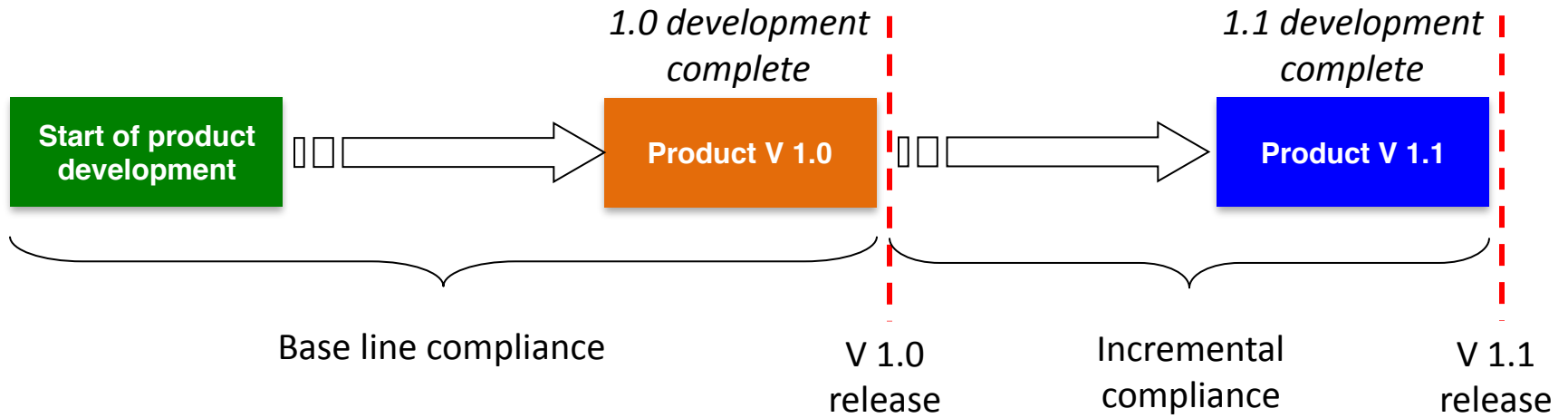
Compliance Processes



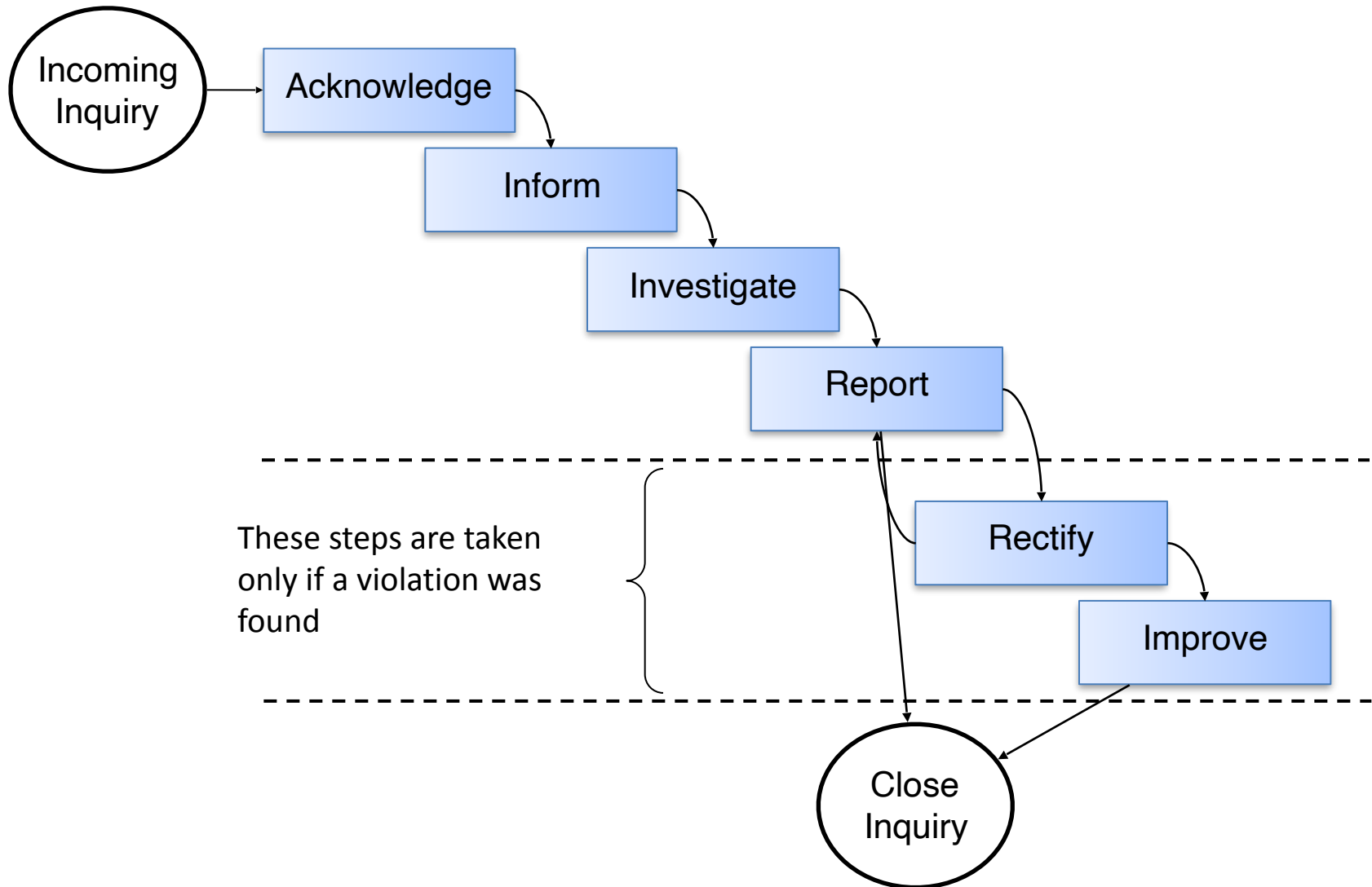
End-to-End Compliance Process



Incremental Compliance



How are you handling compliance inquiries?



Key Takeaways



Key Takeaways

- Baseline compliance is the most demanding
- Tools and automation are critical to ensure efficiency
- Increase internal confidence of results by using multiple layers of assurances
 - Certificate of Origin forms
 - Scanning and analysis tools
 - 1:1 interviews with engineer
 - Etc.
- Cross functional team proved a successful experience (everyone is responsible)
- Training helps avoid common mistakes and increases awareness
- Outreach to organizations and community is very important
- Everyone focuses on operations

Compliance: A Balancing Act



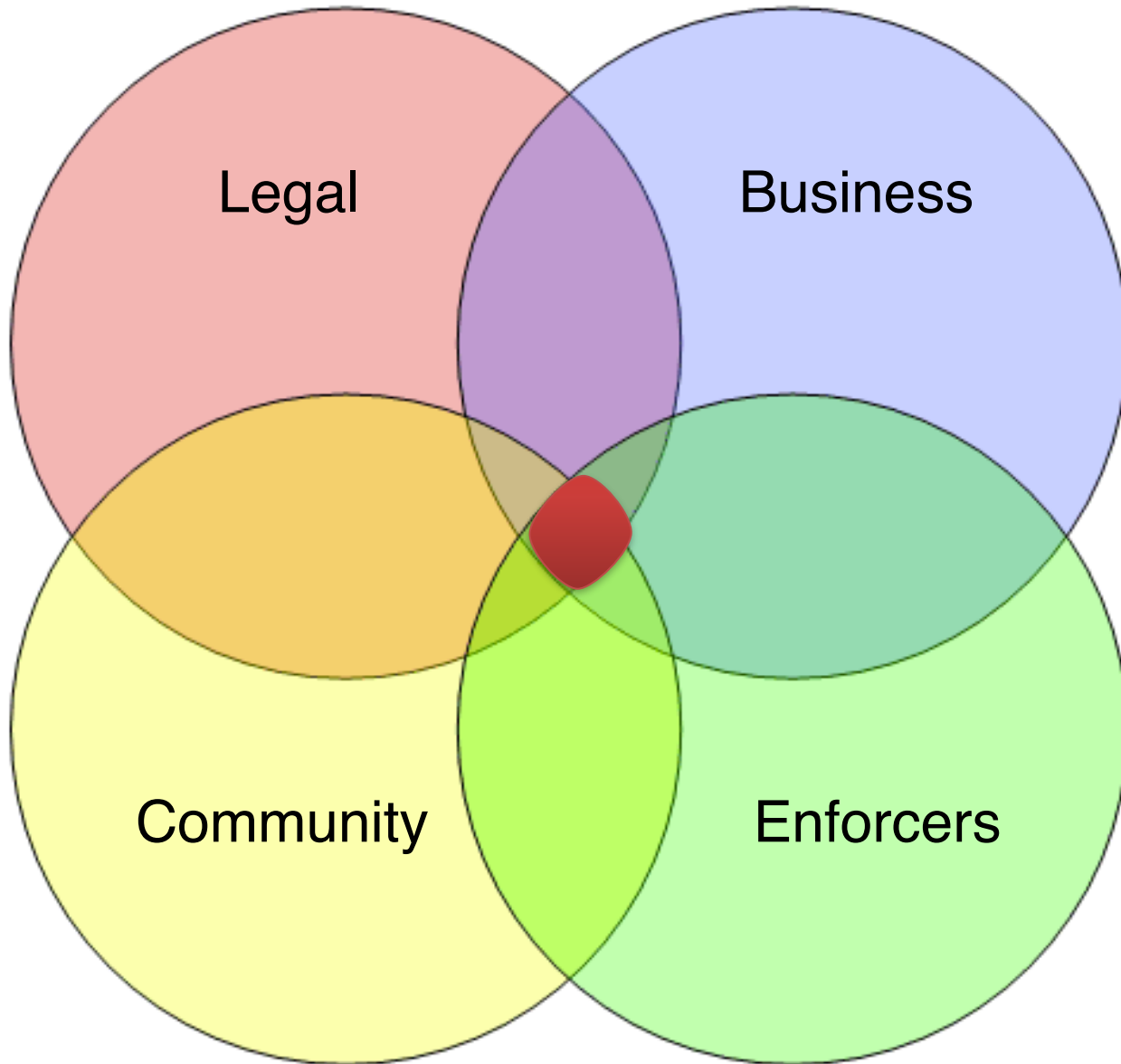


Balancing what?

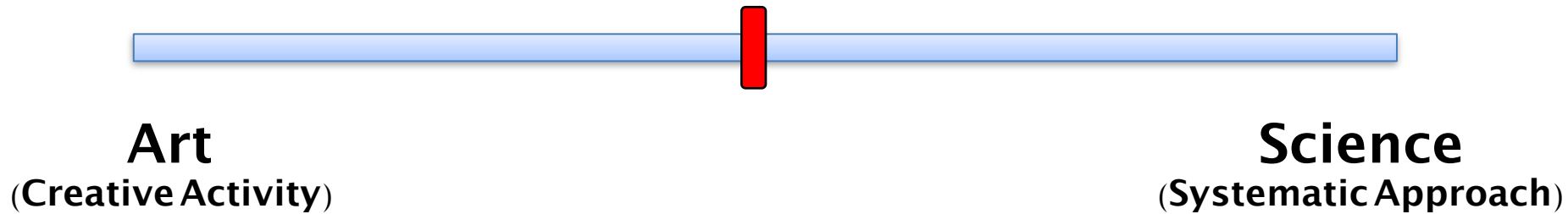
- **Internal & External Legal Counsel opinions / requirements**
- **Business needs**
- **Community needs**
- **Enforcers, whistle blowers**

It's easier to make enemies than to make friends.

Sweet Spot



The Art & Science Compliance Meter



Policy

- The 1 line compliance policy.

We must ensure that all of <COMPANY NAME>'s incoming software (in house, 3rd party commercial, open source, other) is compliant with the license it is provided under by following the open source compliance process defined in <URL>.

Policy

- **The 72 pages master policy**

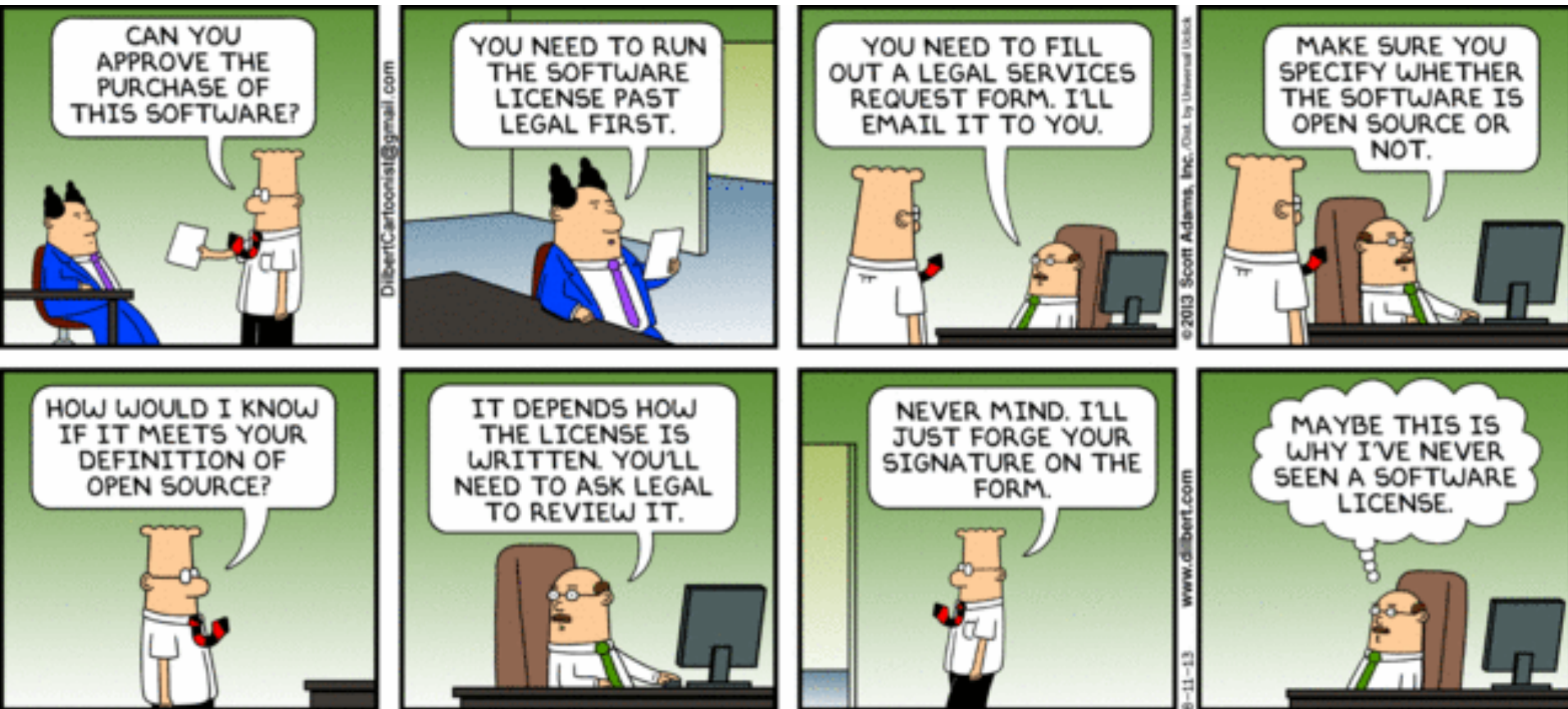
72 pages policy + various mini policies ranging from 10 to 22 pages.

[The largest mini policy at 22 pages is on “Open Source Compliance Practices When Engaging With Business Partners”]

Fun Fact:

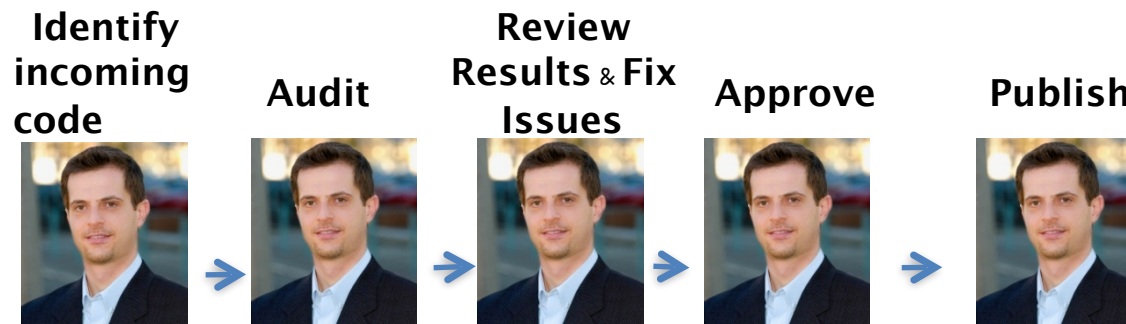
1 policy page per 1000 employee. The math works!

Do you think all engineers request approval?



Process Story

- **What to do when you are severely understaffed?**
 - 1 JIRA ticket – 5 milestones in the JIRA process (identification, auditing, reviews, approval, fulfillment).

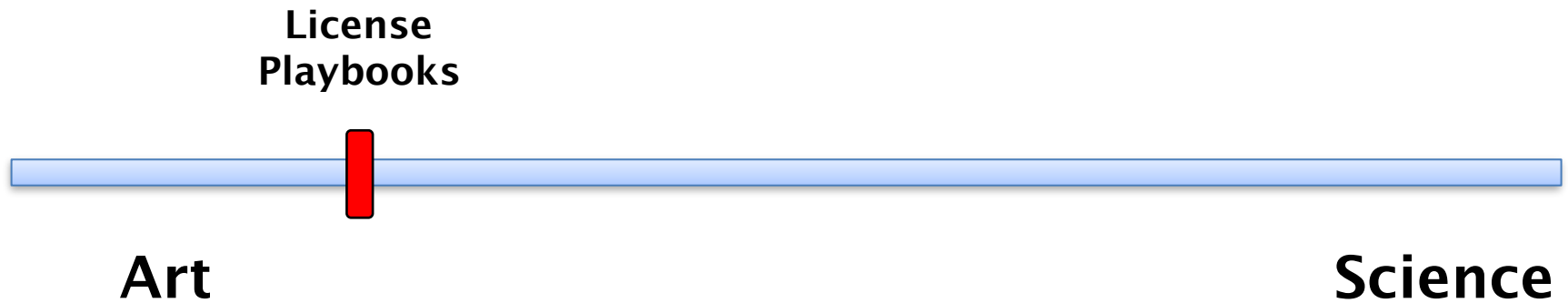


JIRA ticket linear lifecycle; does not assume iterations between different phases.

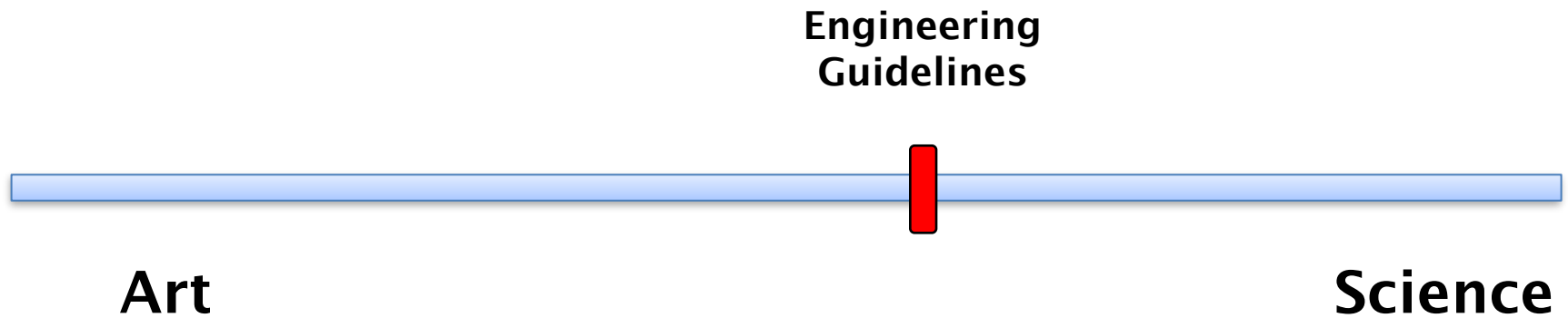
Guidelines

- **License Compatibility Matrix**
- **License Playbooks**
- **Legal Best Practices**
- **Compliance 911**
- **HOW-TOs**
- **Do's and Don't's**
- **Engineering best practices**

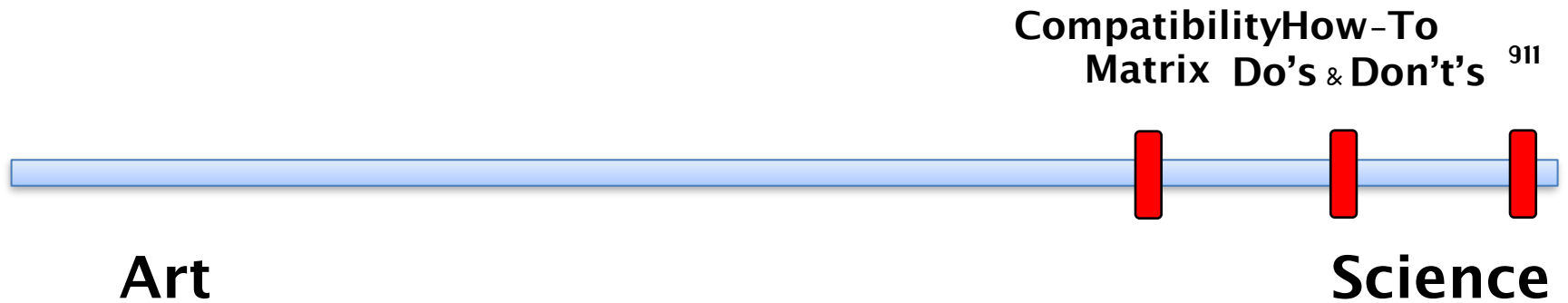
Guidelines: Art / Science Meter



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Staffing

Ibrahim, I am not convinced we need to do any of this compliance stuff and we need to transfer the compliance resources to development. Can you figure out a plan for this?

Compliance requires an executive sponsor.

Training

- **Crucial to the adoption of compliance.**
- **Ranges from a brown bag talk to a 3-days workshop.**

- **Story:**

Compliance Seminar #1 - Less than 10 people attended.

Compliance Seminar #2 (a week later) – Full house

Any guess on what influenced the increased attendance? (2 factors)

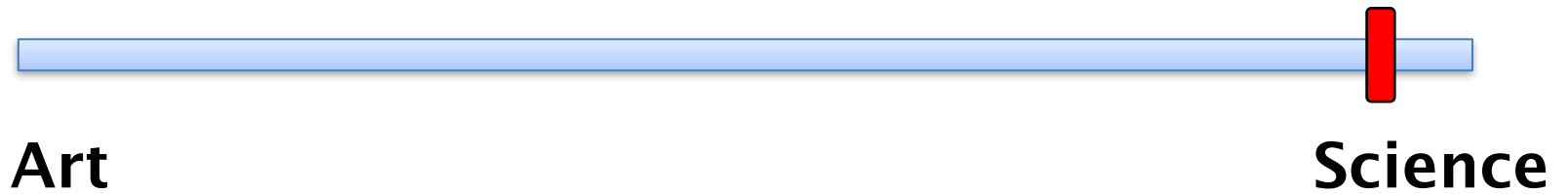
Must provide proper motivation!

Audits and Tools

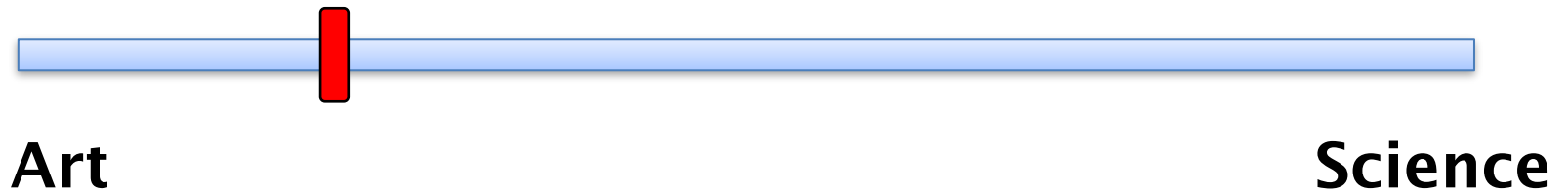
- **Tools**

- Project management
- Auditing
- Linkage analysis
- BoM diff tool

Running the Audits



Interpreting the Audit Results



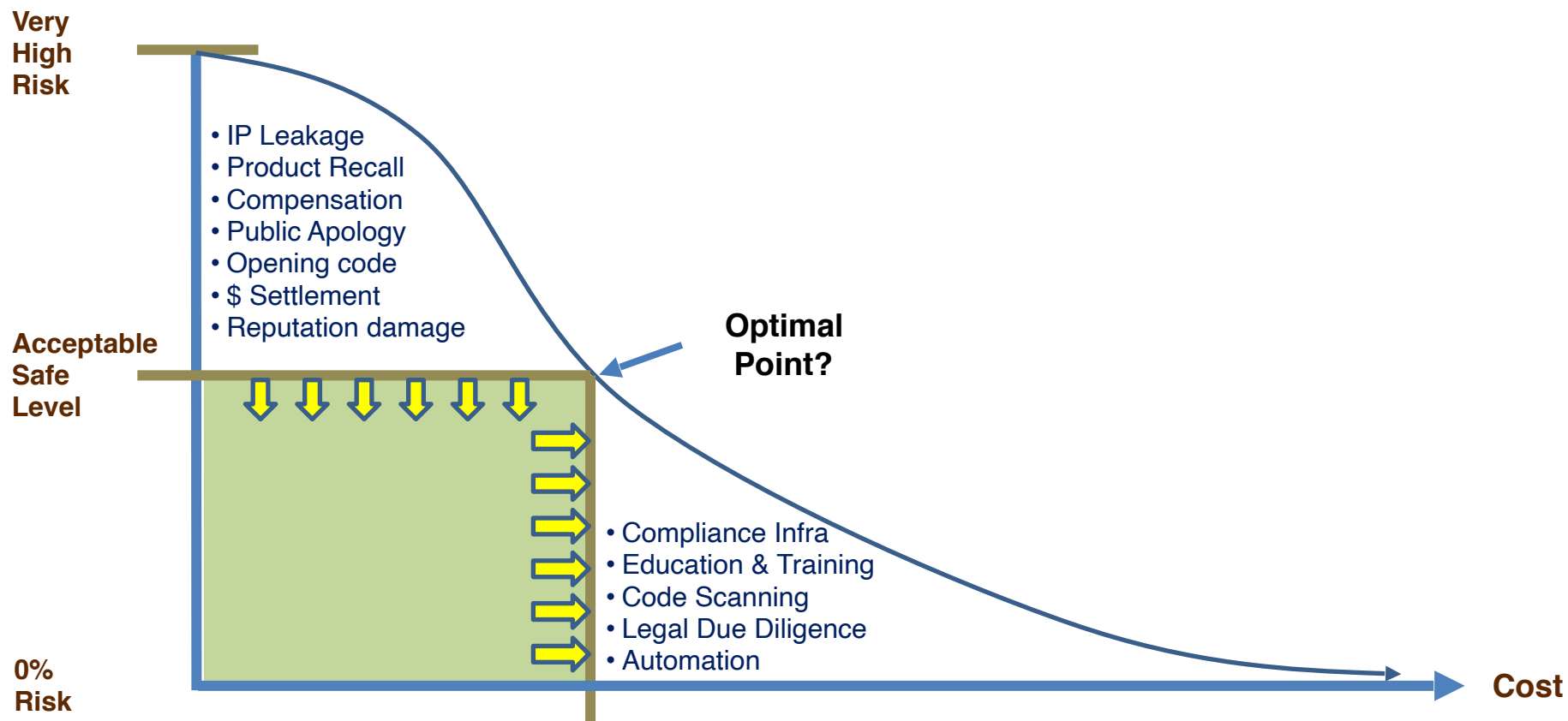
Closing



Relationships Matter



How good is good enough?



Final Thoughts

- **We've come a long way in compliance and we learned a lot.**
- **Compliance today is now more of a scalability and a cost issue, not as much of a license interpretation debate.**

The Next Frontier:

- **How can we take cost out of compliance and provide a consistent , bullet proof and repeatable approach that helps companies avoid compliance hiccups?**

Thank you.

