

Open Letter to the European Commission

March 2010

The European Committee for Interoperable Systems welcomes your Europe 2020 communication, supports the European Commission's goals and wants to help create a more competitive Europe. If we are to create the knowledge base you rightfully say is needed to spur business innovation and promote social inclusion, then Europe will need open, interoperable systems for information technology. Here are some suggestions to help move toward our shared goal.

Social inclusion today requires the use of a wide range of information technologies. Citizens and consumers must have a choice of how to communicate with government, and should not be locked into a single vendor as a condition of getting in touch. They should have a wide choice of innovative, interoperable information and communications technology. Software that complies with open standards enables such choice and creates efficiencies that lower costs and improve quality to the benefit of citizens and SMEs.

Creating conditions for business to innovate requires the use of standards enabling interoperability, as you point out. We believe the best way forward is to ensure that information and communications technologies meet open standards, as defined in Draft European Interoperability Framework version 2.0, pages 53-56, <http://tinyurl.com/y9yvfj7>. We believe neither the European Union nor its Member States should burden citizens by requiring them to purchase software from a single vendor to access public documents and records.

Conditions for enforcing intellectual property. Achieving balanced protection for intellectual property rights is closely related to your goal of promoting interoperability. In the high tech area, we need to be sure the patent system is used actually to foster innovation instead of being abused to prevent interoperability between systems, chill innovation or discourage new market entrants. For example, one way to help promote an open society and interoperability is a voluntary "license of right," in which inventors would see the patent fees they pay to patent offices diminish in return for agreeing to license their inventions. Standards setting bodies also need to require fair terms in a way that does not prevent open source software implementation, as well as assuring that their members provide timely disclosure of patents and license terms to avoid the threat of "patent hold-ups." Today it often requires many patents to create a product, and the total cost of royalties must be reasonable in order for standards to succeed and market participants and consumers to benefit from them; where an open software standard is concerned the royalty may be zero.

We believe that by working together we can do our part in helping achieve the ambitious and necessary goals you have set out for Europe 2020.

Sincerely,

Simon Awde

