

FSFE and the antitrust case against Microsoft

Working with the Samba developers, FSFE's role was to ensure that Free Software developers would not be prevented from using information published as a result of the European Commission's antitrust case against Microsoft.

Representation of developer's interest

FSFE played two key roles in this case. First, we represented the interests of Free Software developers. E.g. in our official role as Intervener, we pushed the European Commission to reject any royalty requirements that would be incompatible with Free Software. We also argued constantly for the publication of good quality technical documentation and against lock-out of Free Software based on arbitrary manipulations of formats and standards.

Incorruptible

Second, FSFE was a public interest organisation who couldn't be bought off. The case began with many companies giving testimony of Microsoft's breaches of antitrust regulation, but one-by-one these companies made deals with Microsoft and withdrew from the case. FSFE and SIIA were the only two organisations that pursued this case from start to finish. We were later joined by ECIS, who did extraordinary work, but there were moments when it got lonely for the Commission.

Getting interoperability information

At the heart of this case was that the European Commission would require Microsoft to publish

interoperability information. Comparable to dictionaries and grammar books for human languages, this type of information is necessary for non-Microsoft software, such as Samba running on GNU/Linux, to communicate and function fully within existing client-server Microsoft networks.

Previously, the Samba developers had to figure this information out by protocol analysis only. This information that Microsoft had was not secret because it was valuable. It was valuable only because it was secret.

Investigation case won every ruling

Thanks also to the persistent work by Carlo Piana, Andrew Tridgell, Jeremy Allison, Volker Lendecke, Georg Greve and other people acting on FSFE and Samba's behalf, the investigation case won every ruling - From the European Commission in Brussels to the European Court of Justice in Luxembourg.

Interoperable applications now possible

Information has now been published and is being used by the developers of Samba and many other projects to improve network interoperability for Free Software applications. This facilitates migration to Free Software. The court rulings have also set important precedents regarding unacceptable business practices.