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# Case COMP/C-3/37.792 from the Free Software Point of View

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## Free Software

... gives users the **freedom** to

- use
- study
- copy
- modify and redistribute

the software.

Examples:

- Linux kernel
- GNU/Linux operating system
- Apache web server
- BIND name server
- sendmail email server
- Samba workgroup server
- ...

Microsoft denotes Free Software as its principal competitor.

## The Free Software Foundation Europe

- Charitable association, devoted to Free Software
- Acknowledged sister organisation of the Free Software Foundation in the USA

# Interoperability vs. Cloning

Microsoft's picture (D5)

Windows client: "Please store this file encrypted."

Unix server: "I can't do that."

... is wrong. A Unix server **can** store files encrypted.

The real situation:

Windows client: "Please store this file *crypté*."

Unix server: "I don't understand your request."

"Unix" is **not** a single operating system, but a **family** of operating systems with seamless interoperability.

According to Microsoft's terminology this would be "cloning".

In fact these **implementations** are completely independent and very different. Just the **interfaces** coincide to allow for interoperability.

The Internet is based on this seamless interoperability and proves that it is possible.

## Disclosure of Interface Information

- Needed for full interoperability
- Withholding: Larger piece of the cake  
Disclosure allows the cake to grow – progress
- Even Microsoft will profit from this.
  
- Microsoft software: Long tradition of "undocumented features"
- Tying users of some important software by Microsoft to a specific operating system by Microsoft
- Use of exclusive knowledge about the interface

Example: Tying of Microsoft Windows 3.11 beta to MS-DOS instead of DR/Novell DOS

The same is now happening for Samba.

Halloween Documents:

Explicit plan by Microsoft to break interoperability in the Internet in order to compete against Free Software (see: [opensource.org](http://opensource.org))

# Bundling of the Windows Media Player (WMP)

- Bundling forces one standard on all users.
- Microsoft does **not** allow for replacing the WMP by competing products:  
Missing interface information
- Example: Replacing WMP in the Media Bar is not possible.
  
- Remove the code of the WMP **implementation** from Windows
- Leave an **interface** where a media player can be **plugged in**
- This is how it is done in other operating systems.
- This **does not remove** multimedia functionality from Windows!  
It **improves** it by making it extensible.
- Remark: This is what interfaces are good for.

## Licenses for Disclosed Interfaces

- ... must not be given by Microsoft itself.
- Microsoft's so-called "Reasonable And Non-Discriminatory" (RAND) conditions **explicitly exclude Free Software**.
- This also holds for the "Settlement" in the USA.

## Software Patents

- ... can be used to forbid the use of the disclosed information.  
Microsoft intends to do this (→ Halloween Documents).
- ... do not allow for reverse engineering.
- ... **are even much worse than non-disclosure!**

The ongoing EU decision about software patents strongly affects this case!

## Remedies

- Statement of Objection: Interface information must be disclosed
- Samba Team: Actual requests for specific information