

The Open Source Compliance Officer (OSCO) in the OSADL Open Source Policy

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How can OSADL help with FOSS compliance?

OSADL provides a wide variety of tools and services to help companies use and distribute FOSS compliantly:

- Database of Frequently Asked Questions (OSADL FAQ)
- Comprehensive legal assessments
- Open Source License Obligations Checklists
- OSADL Container Base Image
- License compliance audit (LCA)
- In-house and public seminars and workshops

**The OSADL
Open Source Policy
Template:
The Basis for
License Compliance**

The Basis for License Compliance

A FOSS policy is needed ...

... to **avoid copyright infringements**,

... to create and **maintain processes** within a company,

... to **establish understanding** of concepts,

... to **provide control** over licensing of a company's IP,

... to **meet customer requirements**.

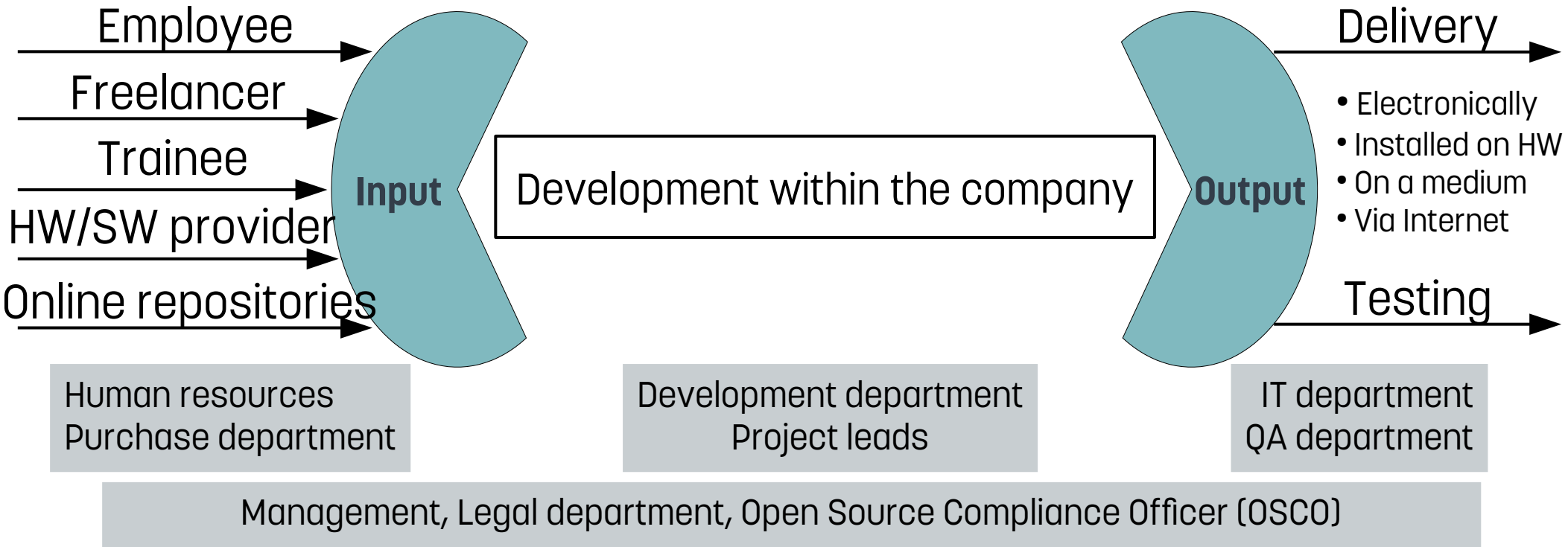
Open Source Policy Template

- Different companies take different approaches to license compliance, a company's FOSS policy must reflect these.
 - Creating a policy requires **understanding and expertise**.
 - Using a policy requires it to be **brief and specific**.
- The OSADL Open Source Policy Template is structured to take these requirements into account.

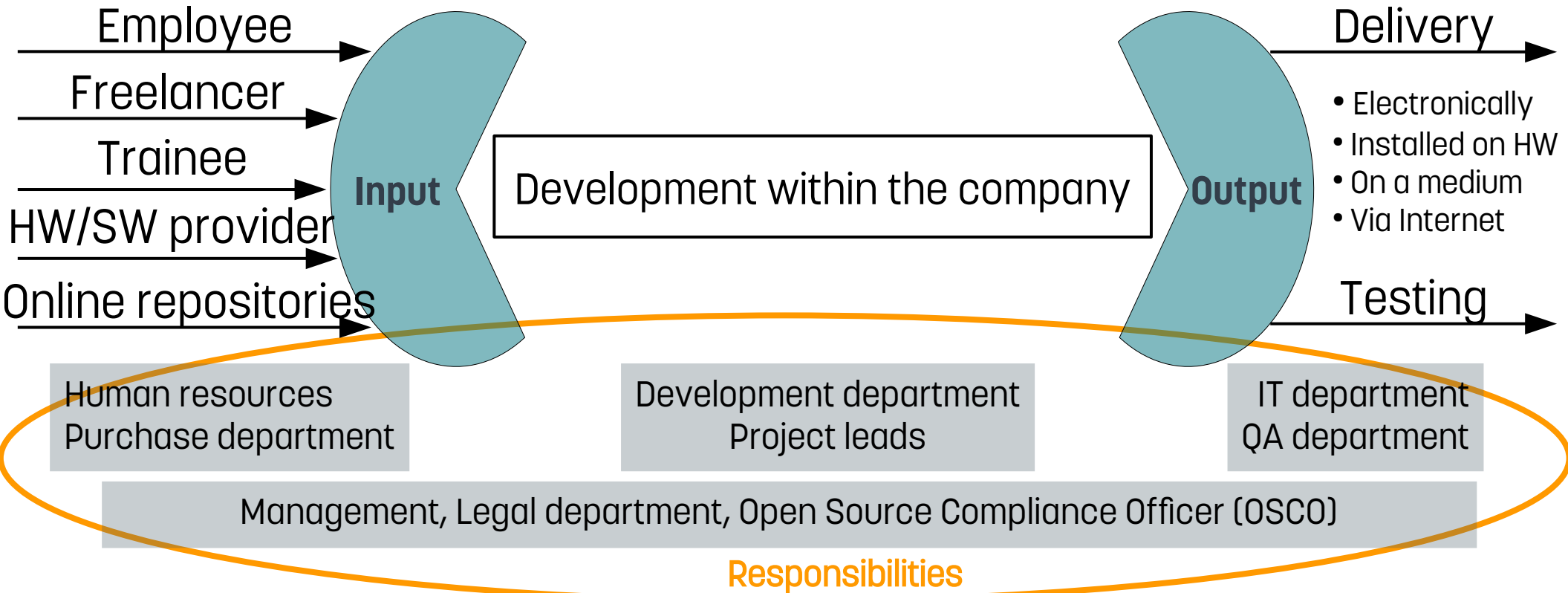
Structure of the Open Source Policy Template

- Various chapters with template texts as basis for an individual policy
 - Motivations and explanations for the creator of the company policy
 - ☑ *Options to choose from where there are alternative possibilities of interpreting or handling a situation*
 - text blocks to modify contracts and other documents
 - *Placeholders to be filled out individually*
- **Annexes** providing processes and forms for legal information
- **Supplements** providing technical, legal and practical background on copyright law and license compliance.

Software flow: Input/output gateways



Software flow: Responsibilities



Who is responsible for legal compliance in a company?

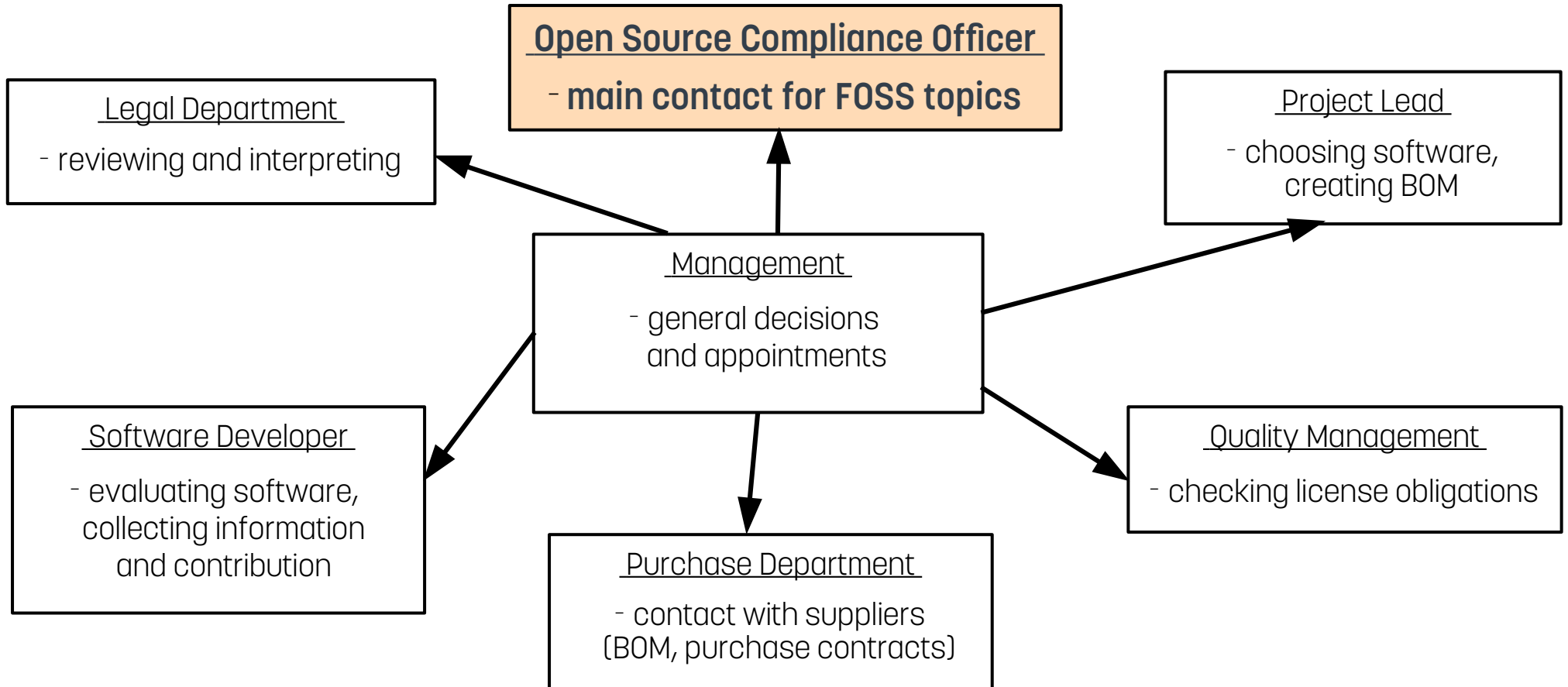
- Not any employee.
- But the management!

Who is responsible for legal compliance in a company?

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- But the management!

COMPLIANCE IS A MATTER OF THE BOSS!

Responsibilities



Open Source Compliance Officer (OSCO)

- **Main contact** for any FOSS-related topics (for internal and/or external requests)
- **Coordinating activities** (organizing processes, training, communication, *etc.*)
- **Maintaining communication** with everyone involved with FOSS in the company
- Setting up **compliance tooling**
- **Preparing decisions** of management and legal department (*e.g.* on license interpretation, modifications of the FOSS policy, *etc.*)

Who can be OSCO?

- **Anyone!**
- Often an employee with an **affinity for** and maybe active engagement with **FOSS**.
- Often also main contact person for OSADL.
- We have seen OSCOs from developers, project management, legal department, finance department, ...

Requirements

- Average number of hours per week to be dedicated to OSCO responsibilities (*e.g.* 1 h per week for every 10 developers).
- Addition to work contract (template wording in OSADL policy).
- Communicating within the company who is OSCO and how they can be contacted.

II. Open Source Compliance Officer (OSCO)

Large companies or corporations are likely to have individual OSCOs for the various departments or subsidiaries as well as a company-wide or group-wide OSCO hierarchy. For details and suggestions for organizational structure see [Open Source Board \(OSB\)](#).

The Open Source Compliance Officer (OSCO) represents the main contact person of our company in the context of using, copying and distributing FOSS of any kind. He or she coordinates all related activities and maintains a dedicated communication with representatives of the other roles listed below. The OSCO reports to the [M](#) and prepares decisions of the [M](#) with regard to the following issues:

- (Unclear) interpretation of FOSS licenses that could result in license violations are therefore relevant for the risk management of the company
- Modification of this FOSS policy

The role of the OSCO is often assigned to an employee who is already familiar and actively engaged with FOSS. In many cases, the OSCO is also the company's main contact person for OSADL.

The assignment of the OSCO can be documented here or for example on a company's intranet or wiki pages. This decision might depend on how often the assignment changes.

Option 1: Assignment of the OSCO for our company:

Assigned by:

OSCO name:

Department:

Phone number:

Email address:

Beginning of the assignment:

End of the assignment:

Deputy in case of absence:

Average week hours to dedicate to the OSCO role:

Option 2: The current OSCO for our company is assigned at:

The OSCO has the following responsibilities:

- Maintenance of our FOSS policy
- Organizing training for staff members
- Maintaining continuous contact to the Legal Department (LD)
- Selecting and purchasing software tools and technical infrastructure such as tools and server for software scanning

Depending on the size of the company and the amount of different FOSS that is used, the task of maintaining tooling and integrating it into the build process may be quite extensive and may therefore be assigned to an additional person who can support the OSCO, e.g. as Open Source Build and Release Engineer (OSBRE).

- Supervising and organizing Quality Management (QM) for FOSS
- Maintaining the contribution process, if any
- Providing a first contact point for internal requests
- Contact to the OSCO for external requests is communicated at our company website at <http://www.company.tld/osco>

The following items may need to be investigated further:

- Required qualifications for the OSCO role (experience, certifications)
- Training requirements (continuing education once a year) and knowledge management
- Financing and resources

Addition to the work contract for an OSCO:

As Open Source Compliance Officer for *company / department* the employee takes on responsibilities in addition to his or her regular function. The scope and nature of these additional responsibilities are outlined in our FOSS policy. To be able to meet these responsibilities the OSCO is released from his or her regular function for an average of *hours* per week.

How many hours / days per week the OSCO may spend on FOSS-related responsibilities depends mainly on the size of a company. It is recommended to estimate on average approximately one hour per week for every ten developers with a limit of one day per week. If more time is required, it is recommended to appoint a second OSCO.

Optional: Open Source Board (OSB)

- Large companies and corporations might have to **coordinate varying requirements** of different departments or subsidiaries.
- This can be handled e.g. with
 - individual OSCOs for the various entities,
 - a company-wide or group-wide OSCO hierarchy,
 - an **Open Source Board (OSB)**.

Open Source Board (OSB): Responsibilities

- Made up of OSCOs of each entity and maybe representatives of the legal department
- **Coordinating compliance efforts** of various entities
- **Adapting FOSS policy** to each entity
- **Synchronizing** FOSS-related activities
- Organizing **shared training and conferences**

Build your own FOSS policy

The OSADL Open Source Policy Template is available as:

- **PDF** files on *osadl.org/os-policy*:
 - A master document for the actual policy
 - Annexes and Supplements as separate files linked from the master document
 - (limitedly) editable versions without explanation boxes
- As **plain text** files on GitHub:
github.com/osadl/foss-policy-template

Disclaimer

The OSADL Open Source Policy Template is intended as a **basis** for companies to create their **individual FOSS policy**.

Implementing a FOSS policy requires

- **legal expertise**
- (professional and legal) **decision competence** in the name of the company

The template does not replace these qualifications.