

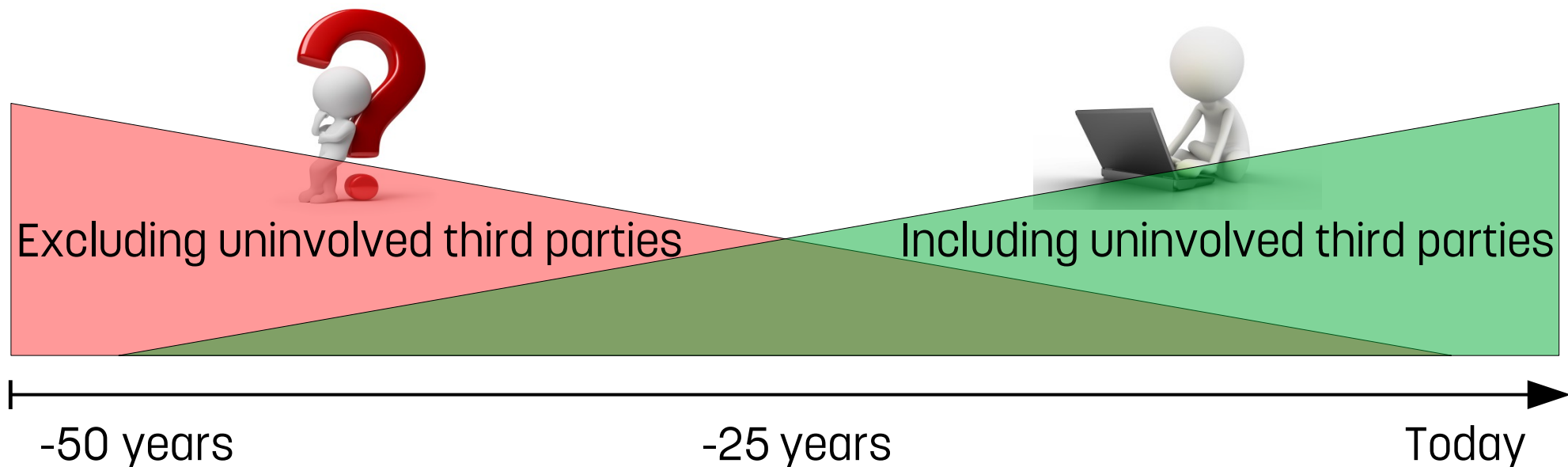
# Contributing to Open Source: Background

Caren Kresse

Open Source Automation Development Lab (OSADL) eG

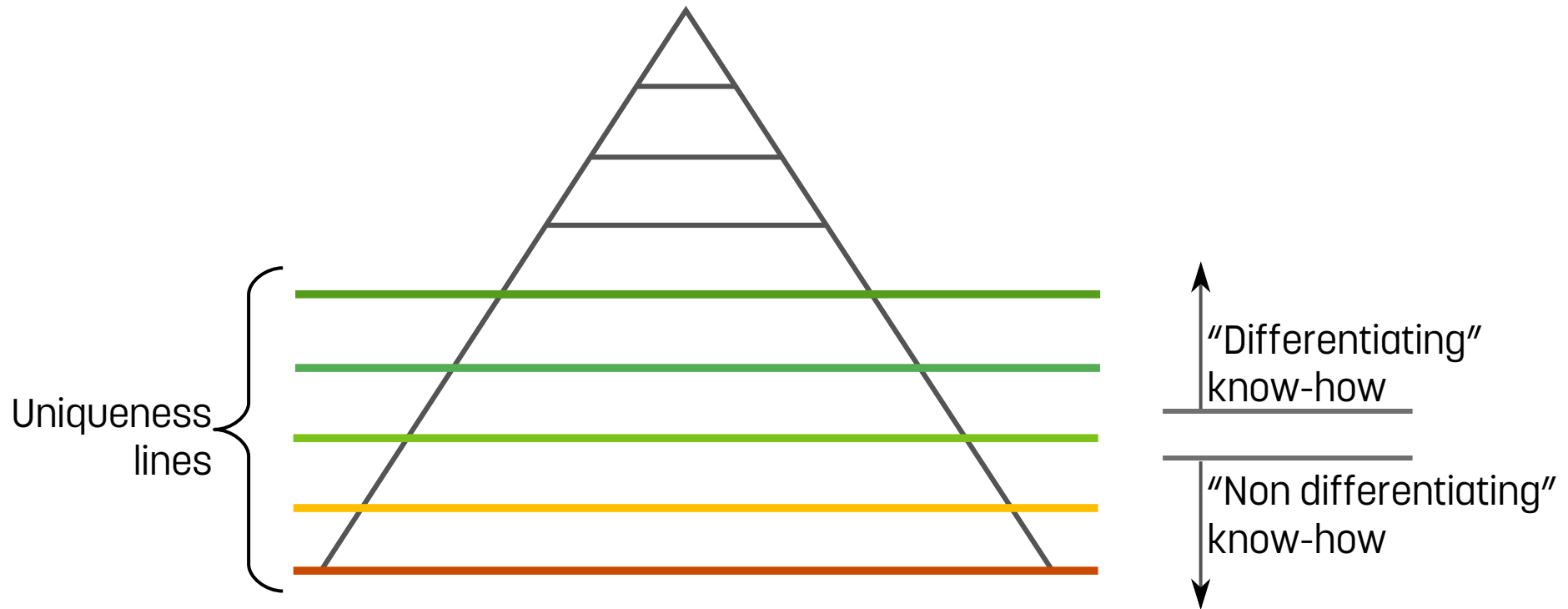
# Open Source is Open Innovation

Joint research and development among companies and institutions (including uninvolved third parties).

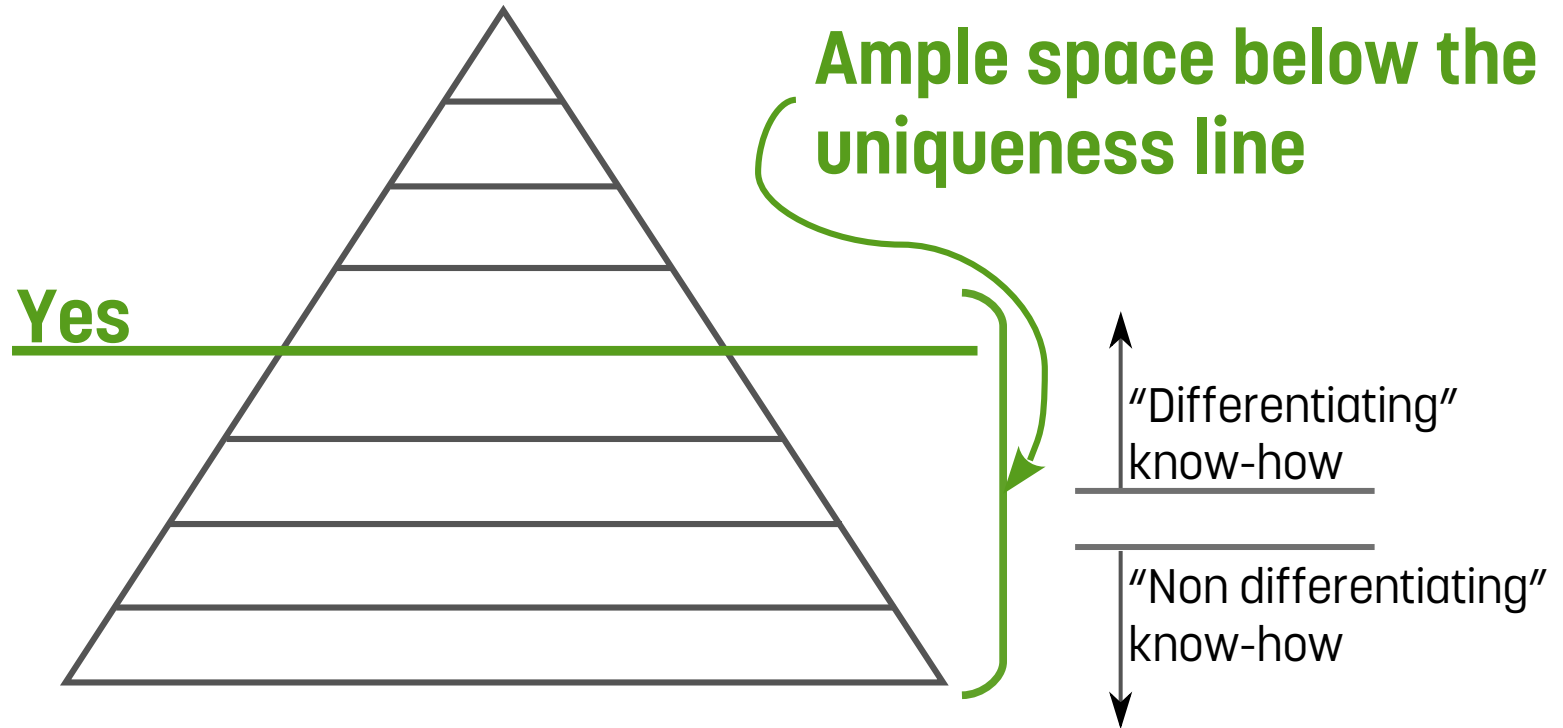


# Is Open Innovation applicable to a given project?

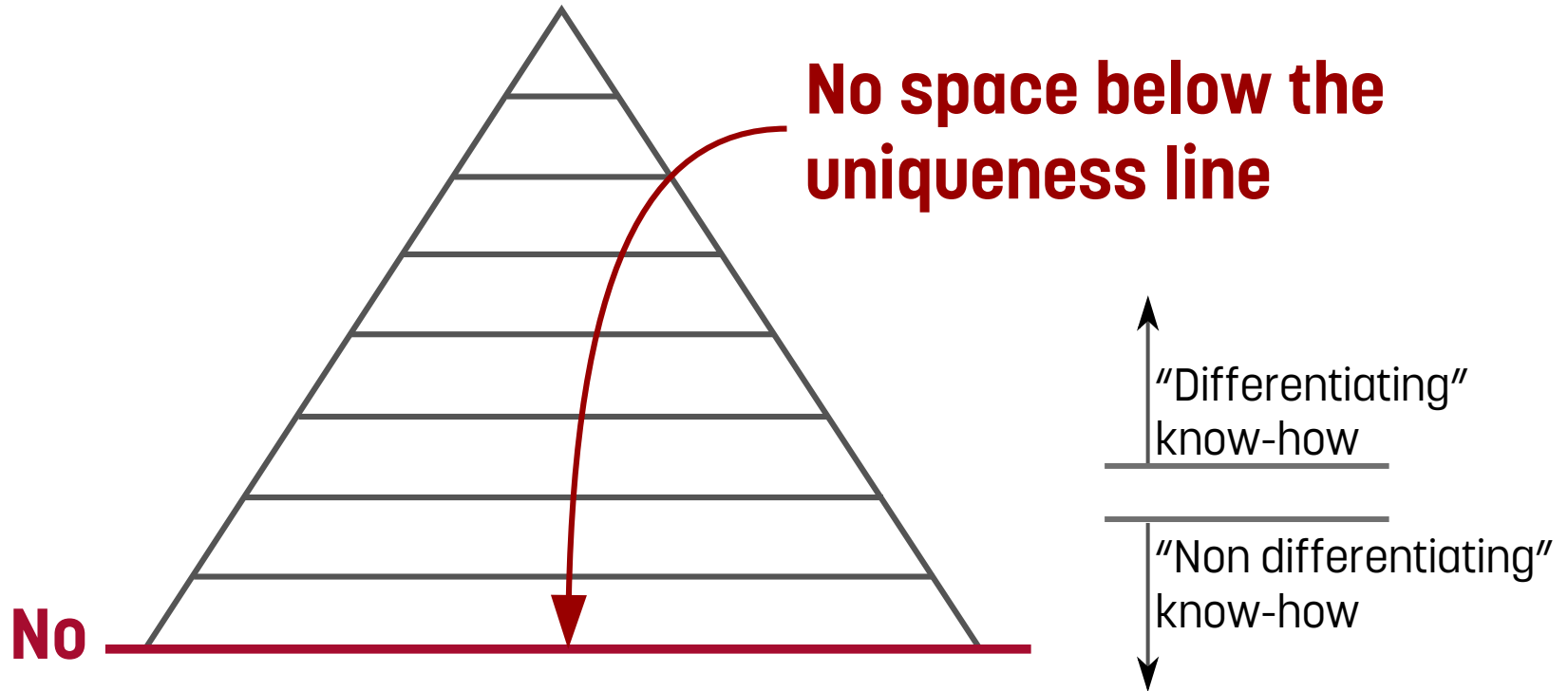
## The pyramid of differentiation



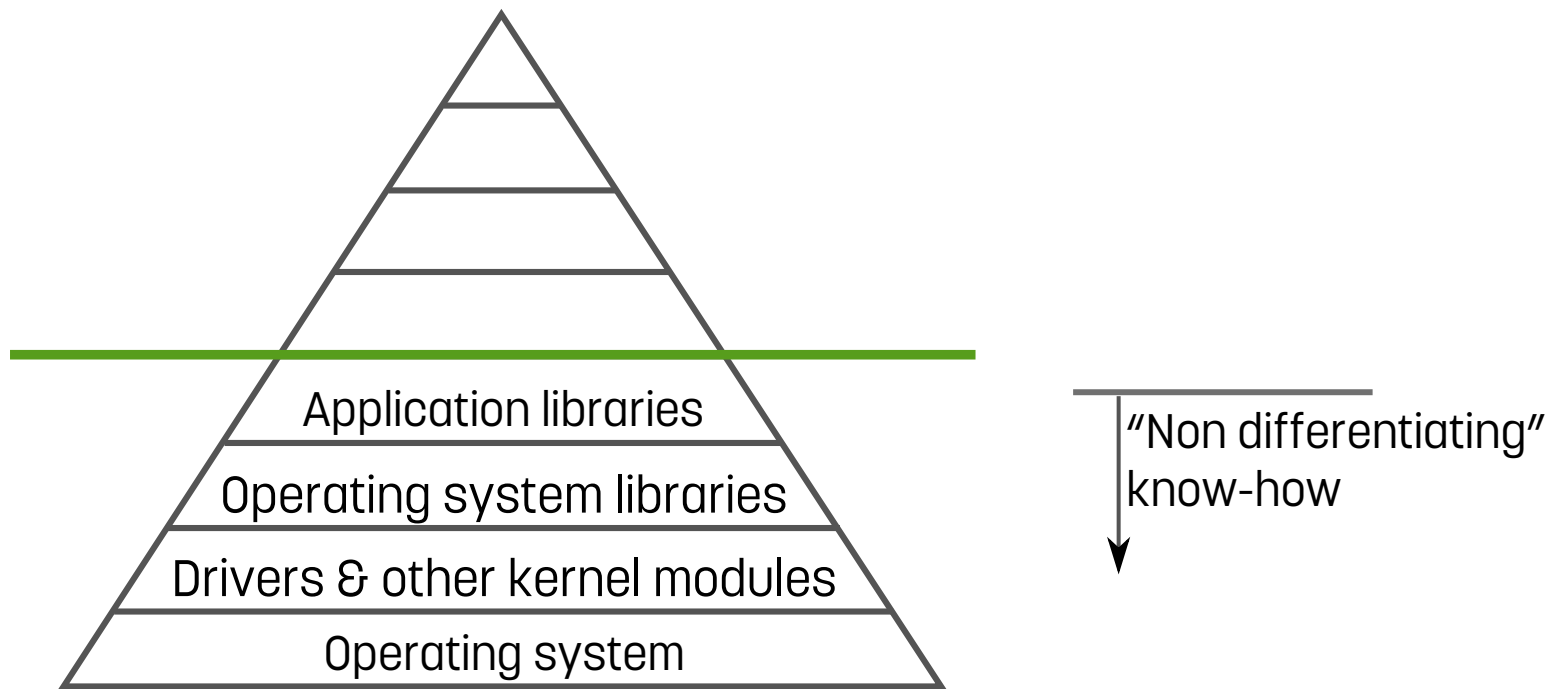
# The pyramid of differentiation



# The pyramid of differentiation

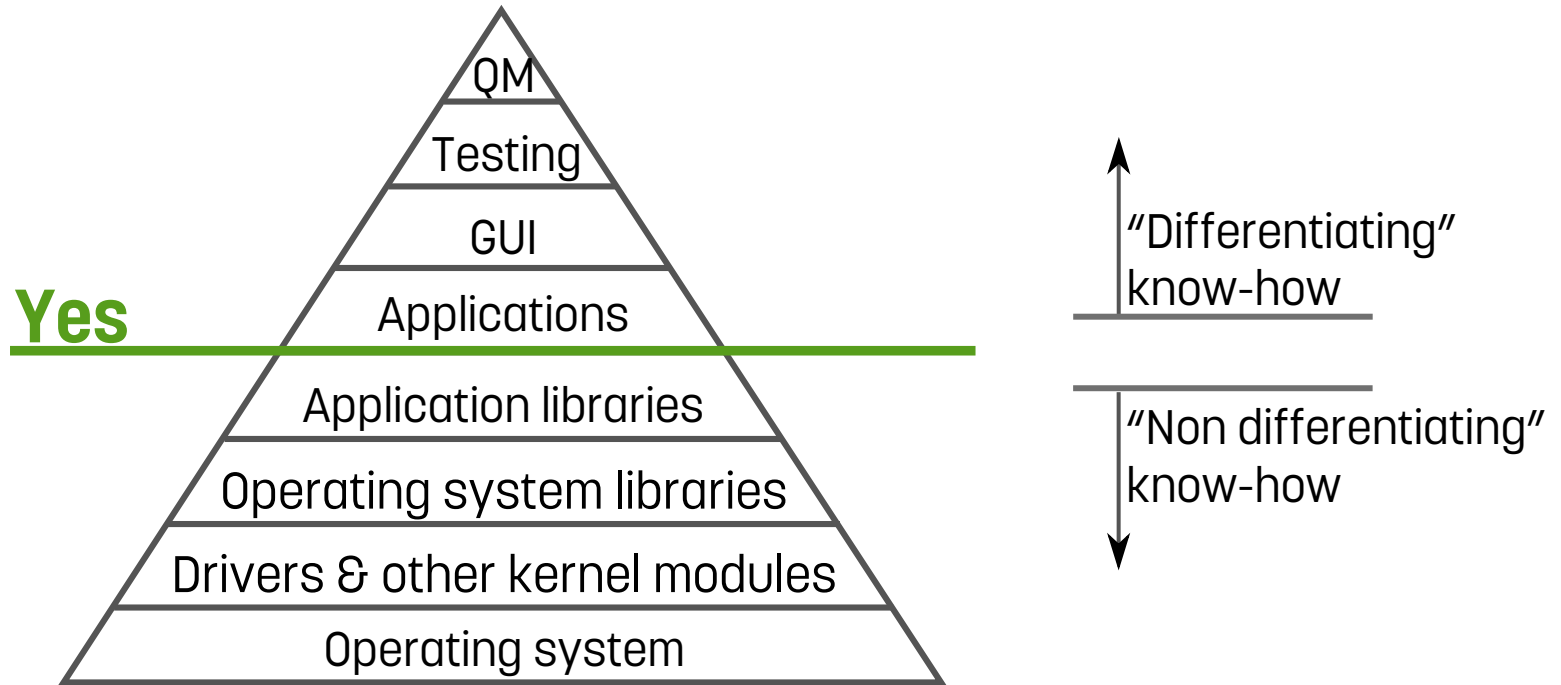


# The pyramid of differentiation: Example



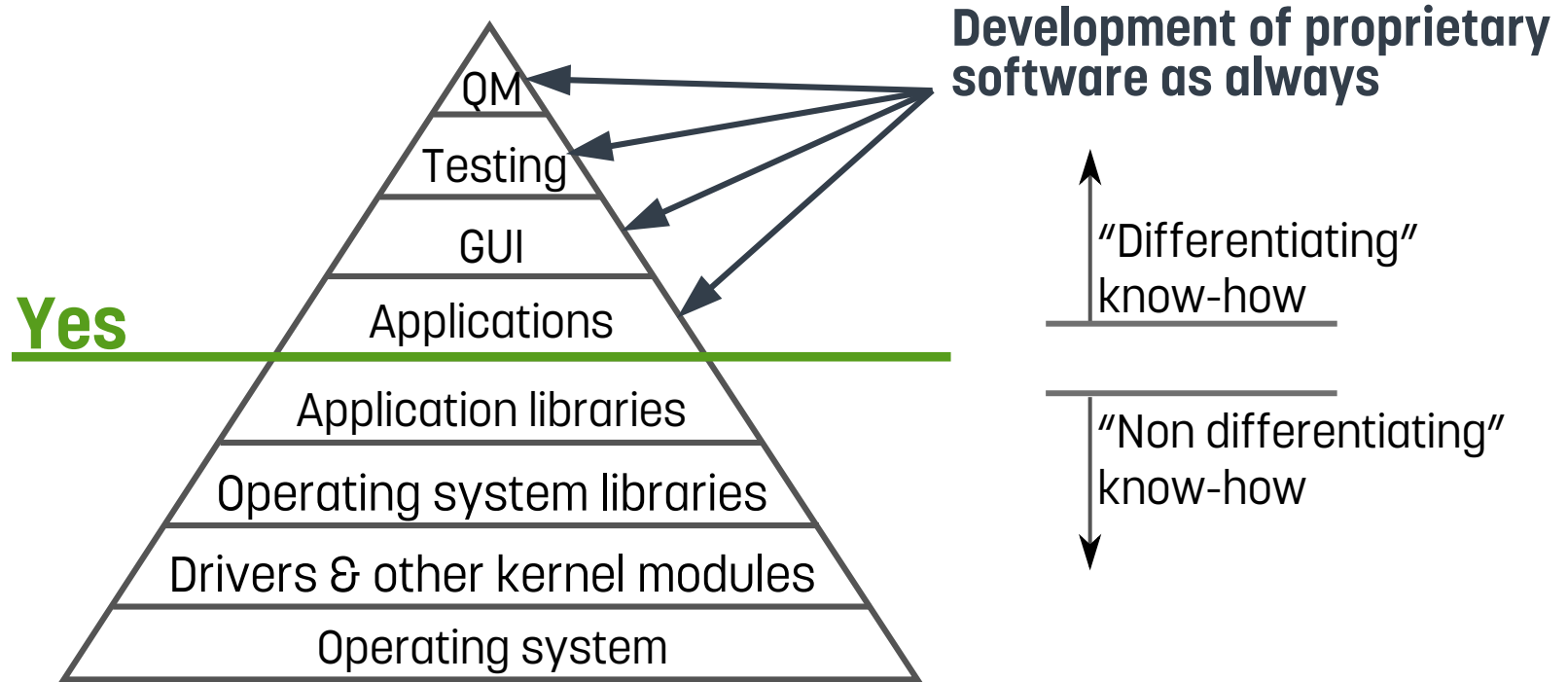
*Example: Machine software*

# The pyramid of differentiation: Example



*Example: Machine software*

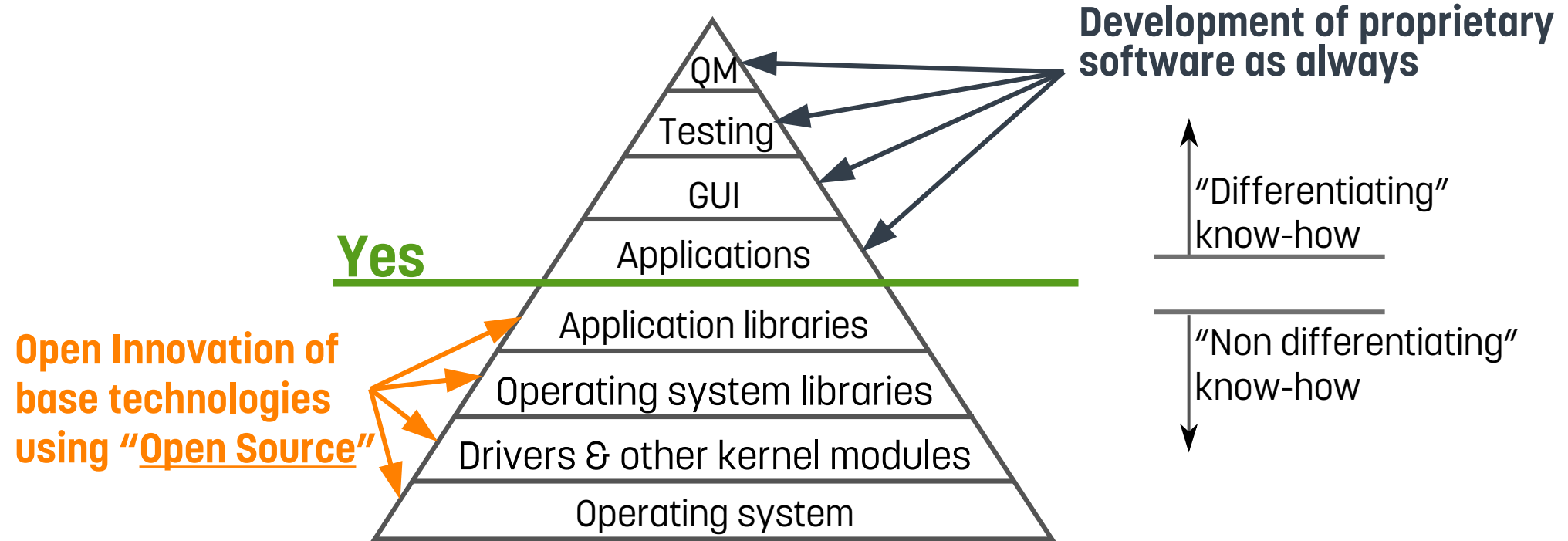
# The pyramid of differentiation: Example



*Example: Machine software*



# The pyramid of differentiation: Example



*Example: Machine software*

Contributing to Open Source: Background  
Compact OSADL Online Lectures  
October 8, 2025

# Open Source meets industry



Why would an **industrial company** contribute to **Open Source** development instead of just using Open Source components and modifying in-house?

# Open Source meets industry

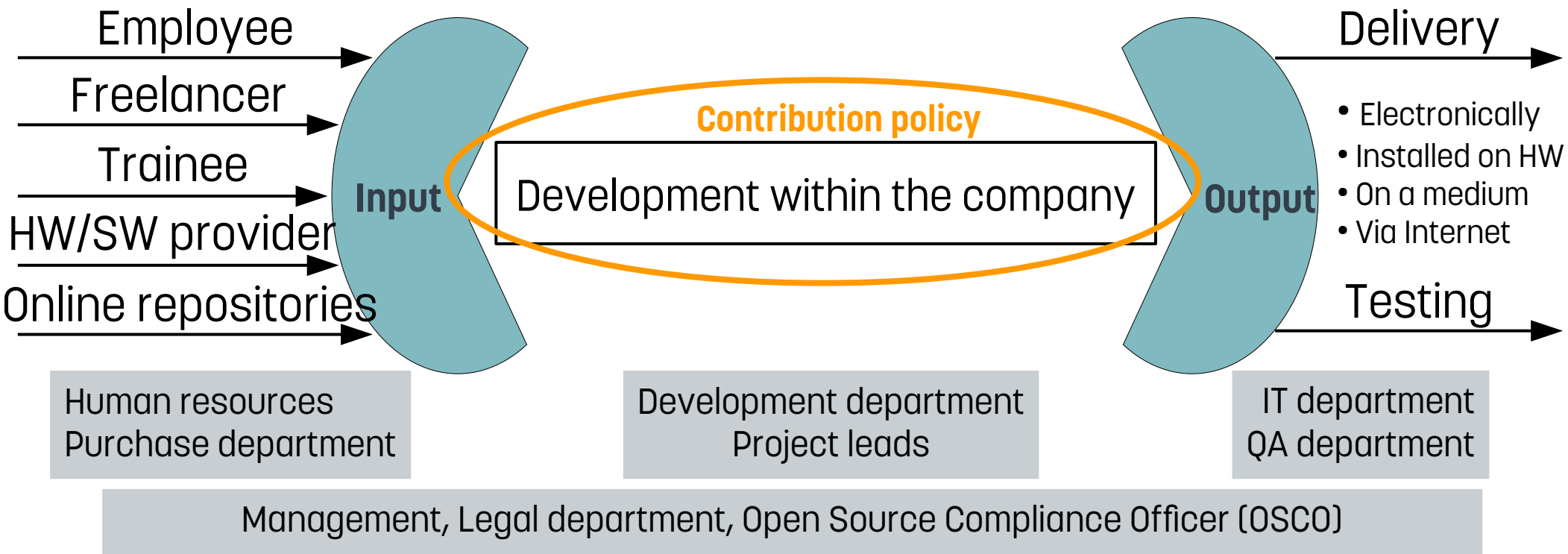


Why would an **industrial company** contribute to **Open Source** development instead of just using Open Source components and modifying in-house?

- Avoiding the additional effort of **maintaining off-tree** development.
- Having a say about the **direction** of the development of important projects.
- Fostering **expertise** within the company.
- **Motivating** and hiring staff.
- In future: **CRA obligations** (Art. 13, 6.)

# Contribution policy

(part of an Open Source policy)



# § 69b UrhG (German Copyright Act)

## Authors in employment or service relationships

(1) **Where a computer program is created by an employee** in the execution of his or her duties or following the instructions of his or her employer, **the employer alone is entitled to exercise all economic rights** in the computer program, unless otherwise agreed.

→ **The employer holds the exclusive rights of use of software that is created by employees in the course of their employment.**

# Contribution to FOSS projects by an employee

- Employees need the **permission** of their employer to license software created in the course of their employment as FOSS.
- Such a permission should be given in **text or written form** to avoid misunderstandings.

See nginx: Lynwood Investments CY Limited v Maxim Konovalov et al., <https://www.ifross.org/?q=en/node/1666>.

- A FOSS policy should give guidelines to evaluate a possible contribution (= **Contribution Policy**).

# Contribution Policy

- **Approval of contributor:** Training and experience in programming, community etiquette, FOSS licensing, separation of private and company development
- **Approval of FOSS project:** License (copyleft, patents), software quality, reputation, Contributor License Agreements
- **Approval of contribution:** May the contained IP be published, code quality, conflicting agreements (*e.g.* NDA), third-party content, safety and security vulnerabilities

## One-time contribution permission

Hereby, permission is granted to the named developer to license the named software components developed in the course of his or her employment in the name of the company under the stated license and to share the same through the stated repository and/or mailing list. Individual files must carry a copyright notice and license notice according to the guidelines set by our FOSS policy. Existing or new license notices must correspond to the license(s) stated in this permission.

*Developer*

*Department*

*Software components to be contributed*

*(cont'd)*

*FOSS project*

*License(s)*

*Repository URL*

*Mailing list URL*

*Mailing list email address*

*Review required*

*Optional: Reviewer*

*Signed-off-by: Name*

*Signed-off-by: Email address*

## Signatures

\_\_\_\_\_  
*Place, date*

\_\_\_\_\_  
*Signatory*

\_\_\_\_\_  
*Place, date*

\_\_\_\_\_  
*Developer*



## General contribution permission

Hereby, a universal permission is granted to the named developer to license software components developed in the course of his or her employment in the name of the company under the stated license and to share the same through the stated repository and/or mailing list. Individual files must carry a copyright notice and license notice according to the guidelines set by our FOSS policy. Existing or new license notices must correspond to the license(s) stated in this permission.

*Developer*

*Department*

*Software project*

*License(s)*

*Repository URL*

*Mailing list URL*

*Mailing list email address*

*Start of validity of this permission*

*End of validity of this permission  
or until further notice*

*Review required*

*Optional: Reviewer*

*Signed-off-by: Name*

*Signed-off-by: Email address*

## Signatures

\_\_\_\_\_  
*Place, date*

\_\_\_\_\_  
*Signatory*

\_\_\_\_\_  
*Place, date*

\_\_\_\_\_  
*Developer*