

[Note: All redactions in this document are Section 40 exemptions]

Meeting title: Business Software Alliance and UK Government Open Standards

Meeting date: 14 April 2011

Location: 1 Horse Guards Road

Status: draft

Attendees (not checked):

BSA  
Cisco  
Cisco  
CA Technologies  
Apple  
Apple  
Symantec  
Ericsson  
Philips Healthcare  
GE Healthcare  
GE Corp  
College Public Policy  
Cabinet Office  
Cabinet Office  
DLA Piper o/b Cabinet Office

BSA also wish to discuss this matter with [REDACTED] as they had heard that he is particularly supportive of the open standards approach – **ACTION:** CO will feed back if necessary.

Meeting to discuss PPN 3/11 and its definition of 'open standards', currently open for consultation until 20 May.

Status of PPN 3/11 is not mandatory – it is a policy guidance note.

Microsoft has reviewed standards it supports against the PPN 3/11. Cisco provided a list of standards it considers fails against the definition and those which meet it.

[REDACTED] explained policy landscape – crown purchasing, reuse, cost reduction, desire for government to pay only once for things it procures and reuse them across organisations.

BSA stated that they wished to specifically discuss the IPR clause of the definition, not there to debate legality of PPN 3/11. The members were here to share data and information on standards from an industry practice perspective, to understand the rationale for the PPN and to give views. BSA stated that it had been involved in debate with the European Commission on European Interoperability Framework v2.0 and in particular the open standard versus open specification discussion, which BIS (Business, Innovation and Skills) had been involved with and was supportive.

Views from suppliers (Chatham House therefore not attributed):

Note seems to be about handing over intellectual property.

Appreciate that the objective is to rationalise the use of public funds.

Language tells companies that their investment in innovation will no longer give them competitive advantage.

Comfortable with FRAND licensing (Fair, Reasonable and Non-Discriminatory) terms.

China uses language similar to this in procurement policy – there is an ongoing debate with US, China and EU on this. Jobs and revenue flows are risked due to China market and the precedent set for other countries.

This is a definition of an Intellectual Property Free standard, not an Open Standard.

■ clarified that the IPR clause relates to standards, not solutions and is relevant for UK Government buying its IT, not more widely applicable.

#### Supplier challenges:

It will have negative effects on who will do business with UK Government.

It will do harm to other UK businesses who invest in innovation. It will damage investment and damage jobs.

Needs to be more limited and less provocative in international markets considering India and China.

There are some areas where quality is paramount.

Value for money – it can be more efficient to go for proprietary.

GSM and its status as a FRAND standard (a mobile telephony standard) was highlighted by BSA as an example of a standard that once implemented does not cost the government any more if devices are swapped between depts./users.

Supplier stated that some proprietary software does not have an open source alternative/ do not believe it can be used in their area.

They claimed that the FRAND system offers remuneration for innovation and the wording of the PPN was described as offensive and signalling the wrong intention internationally. It was considered to restrict competition in the healthcare sector.

One supplier claimed that IPR has a security impact if others around the globe have access.

Some attendees would submit input through the online survey.

It was agreed that a definition of open standard is needed. **CISCO offered input** on the definition and analysis to help shape a revision. ■ had previously worked on European Interoperability Framework version 1.0, which contained a definition of 'open standard'.

**ACTION:** CO and BSA to meet again after the close of the online survey to debate the outcome.

■ reiterated that this activity was about reducing cost.