



European Open source and free software Law Event

<http://www.eolevent.eu>

29 & 30 November 2010
Centro Incontri Regione Piemonte
corso Stati Uniti, 23
TORINO - Italy

Freeing Public Sector Software (EOLE 3rd edition)

The European Open Source & Free Software Law Event (EOLE) is a yearly event that aims to promote the sharing and dissemination of legal knowledge on Free, Libre & Open Source Software (FLOSS) licensing, as well as the development and promotion of good practices in the field.

2010 EOLE edition is focused on use of FLOSS in public administrations.

More information is available on our website: www.eolevent.eu.

Organised by:



Partner:



Background

EOLE is organized by a group of European Lawyers from the various Member States and sectors. This group is non-profit, non-commercial and its motivation is of scientific and/or academic nature. While members may have their own business or positions, and even though the event may have sponsors, the EOLE group and the subject matter of the conference are totally independent from any business, enterprise, service or philosophical organisation. The objectives of the group are the dissemination of reliable legal information, the constitution of an open network of FLOSS experts and the organisation of a yearly event.

EOLE started from the observation that, despite the importance of the Free/Libre/Open Source Software (FLOSS) development, and in spite of the fact that the whole movement relied on an outstanding and subversive use of copyright, information on the legal aspects of FLOSS licensing was lacking or imprecise, especially in Europe.

EOLE was therefore created in order to foster the dissemination of legal and qualitative knowledge pertaining to FLOSS licensing, as well as to pool, share and promote, on a neutral and non-partisan basis, the development of good legal practices in the field.

The first EOLE conference took place in 2008 in Paris, during the "*Paris, Capitale du Libre*" event and offered a full day study of the then freshly released GPLv3, in which participated 19 speakers from 6 countries, 80 participants (a majority of which being in house counsels and lawyers), coming from different sectors (industry, governments, academic & floss communities).

A second edition, EOLE 2009, was hosted by the Greens at the European Parliament in Brussels, and focussed on FLOSS terminology and mutual software development. With around 120 inscriptions, a dozen of sponsors, and more than 20 contributors from all over Europe and the USA (speakers and/or scientific committee members), EOLE was again a success.

Theme of EOLE 2010

Just over a year ago, the Piedmont Regional Council passed a law providing that: "*the Region, in the process of choosing computer programs to acquire, prefers free software and programs whose source code can be inspected by the licensee*". Whereas this choice was welcomed with enthusiasm by Free Software supporters and civil society, the Presidency of the Italian Council of Minister contested this law, by referring to the Constitutional Court in order to declare it unlawful. On 23 March 2010, the Court ruled that the preference for Free Software is legitimate and complies with the principle of freedom of competition. The Court clarified that "*The concepts of Free Software and software whose code can be inspected do not refer to a particular technology, brand or product, but they rather express a legal feature*".

Recently, the EU Commissioner for Digital Agenda Neelie Kroes emphasized the European Commission initiatives and highlighted the role of FLOSS communities: "You have an important role in shaping Europe's digital future. Governments cannot simply announce and deliver the digital future. It must come out of an organic and shared responsibility" (<http://www.youtube.com/watch?v=ok100U4Fo3Y>).

The use of FLOSS in public administration is an important topic, which is subject to political debates, but also raises legal questions. This year, the EOLE event will be dedicated to the study of these questions, and will revolve around the following topics:

- Passing laws in favor of FLOSS: how far is it possible and constitutional?
- FLOSS and public procurement regulations compliance.
- How should calls for tenders be drafted in order to not discriminate against FLOSS?
- FLOSS licensing and E-government.
- The use of FLOSS in public on-line services.

- Government licensing their own software: practical cases and specific questions.
- Public sector software distribution: is it fair competition with private sector?
- Combining FLOSS licensing policy and a restricted circle of quality providers, is it possible?
- The European Commission and Member states interoperability strategy (the role of FLOSS and open standards in public sector ICT).
- The ISA programme and the harmonization of FLOSS best practices in Europe.

Organisation

EOLE 2010 will be hosted at the *Centro Incontri della Regione Piemonte* (Torino Corso Stati Uniti, 23) thanks to the Region of Piemonte.

This year, the **organisation committee** is composed of the following members:

- **Marco Ciurcina**, Attorney at law (Studiolegale.it), [Italy]
- *Consigliere* of the ASSOLI (Associazione per el software libero), [Italy]
- **Benjamin Jean**, In House Counsel at Linagora, [France]
- **Philippe Laurent**, Senior Researcher at the CRID (Research Centre on IT and Law of the University of Namur), Attorney At Law (MVVP), [Belgium]
- **Mathieu Paapst**, Teacher and Researcher at the Center for Law and IT of the University of Groningen, [Netherlands]
- **Patrice-Emmanuel Schmitz**, www.OSOR.eu Legal Expert-Unisys [Belgium]

In order to ensure and promote the scientific quality of the event, a **scientific committee** gathering ten specialists of the field will also be set up to support the event.

Financing

EOLE is an open to all event. Admission is free but upon prior registration and is subject to the venue's capacity.

EOLE are conferences organized on a voluntary and non-profit basis, which are made possible thanks to the Host (this year, the Piemonte Region), some sponsors and supporters, and on the efforts of the organizers, committee members, speakers and participants. Travel and accommodation costs are reimbursed to the speakers and committee members on specific and prior request, and to the extent allowed by the budget of the event (which is composed of the financial and/or material contributions of the Host and the Sponsors).

Work is ongoing as regards the finding of sponsorships.