



Since joining OIN 2 ½ years ago, Chinese-based Alibaba Group is thrilled to have found a community where others share its ambition and outlook about Open Source technology and fostering collaboration for the greater good of everyone.



A One-on-One Interview with
Roger Shang, Senior Legal Director, Alibaba Group

Q: WHY DID ALIBABA JOIN OIN?

A: We were impressed by OIN's mission and foresight to foster openness and collaboration, as well as to deter patent aggression. We thought it a remarkable and admirable mission to think that what's good for the community - is good for everyone.

We wanted to show our support for Open Source Linux. As a cloud computing and eCommerce company, we work with Open Source. When I joined Alibaba 12 years ago, we were already using it. Gradually, we started contributing to it. Now, we have hundreds of projects. Open Source is taking over the world. We believe that. We see it in China and elsewhere. It is increasingly important, especially its interoperability and prevention of relying on propriety vendors.

We considered the patent landscape. We didn't need the license to protect ourselves. As a large firm, we have the resources to protect ourselves. But we realized, we have a responsibility to the community not just to protect ourselves, but to foster collaboration and share.

Q: WHAT BENEFITS HAVE YOU SEEN AS AN OIN MEMBER?

A: Another benefit is the patent cross license. We license our patents to OIN, and we get licenses from other participants. More than hundreds of companies which agree they're free to compete and free to execute their business strategy, but agree a lawsuit is not productive in the Linux space. We thought this was a good strategy and made business sense.

Also, to foster openness and collaboration in the Open Source community is good for everyone. People are not afraid when a company wants to do something. There isn't a hidden agenda to collect evidence of patent infringement. Instead, we're collaborating, serving customers, growing markets, and improving technology. Eventually everyone wins.

A natural benefit is developing relationships with businesses and business leaders who share our vision and outlook in the Open Source community.

Q: HOW DO YOU EXPLAIN TO MANAGEMENT AND GET APPROVAL THE TRADEOFF OF WHATEVER BURDEN THERE MAY BE ON A PORTFOLIO FROM JOINING OIN IS OUTWEIGHED BY THE BENEFITS MEMBERS RECEIVE?

A: There's no downside to join. You get a patent license to a universe of patents from some of the world's leading companies.

And it's free. You agree you will not initiate lawsuits in Open Source Linux. You're free to execute your business strategy. You're free to compete with other OIN participants. You're free to file lawsuits, just not in Open Source Linux.

You also have the benefit of the satisfaction that you're participating in a global Open Source community; you're contributing and you're fostering open code sharing.

We know every time we make a decision, it's a tradeoff. When you decide to use Open Source and contribute to it, you know there are patent implications.

Consider what's more important – keeping the right to launch patent lawsuits, or introducing your technology to partners, suppliers, customers and developers? If you're strategy is clear, you'll be able to decide easily.

Open Source and patents are not mutually exclusive. We file patents to protect ourselves as a deterrence and reserve to potentially counter when people sue us. But having patents doesn't have to deter us from embracing Open Source.