

Google Cautious on Microsoft Patent Claims

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Chris DiBona, open-source programs manager at Google, says the jury is still out on Microsoft's recent claims that free and open-source software violates 235 Microsoft patents.

In an interview with eWEEK, DiBona said it was too early to tell what kind of concerns users of open-source technology should have regarding Microsoft's claims, adding, "Like most of the world we'd like to see them actually enumerate what [those violations] are. It's more of a wait-and-see. It's easy to say things like that, it's another thing to see what concrete actions come of it."

Again, asked if Google, which runs its core application on thousands upon thousands of Linux servers, should be concerned about the claims, DiBona said, "There's just not enough information for us to know right now."

In a May 14 post on DiBona's personal blog, where he expresses his views on issues of the day, he wrote, "Microsoft'll bitch and moan to keep the news cycle up for about a year, while trying to strong-arm companies into signing cross-licensing agreements and such. Many will, many won't. Then when they think they have a critical mass, then they'll sue a company without a significant patent portfolio to sue back with. Then that company will lose."

This process will take about seven years, DiBona wrote.

"So, my advice to people out there: Linux is so useful that Microsoft

simply doesn't have the option of marginalizing it," DiBona wrote. "It is simply too late for that. They very simply cannot compete with open source once it has taken hold."

Meanwhile, DiBona said GPL Version 3 will not be an issue for Google in terms of incorporating open-source code. Especially given that the most recent draft of the GPLv3 has dropped the so-called ASP (application service provider) loophole, "it makes it very easy for us to say it's likely that we'll welcome GPL Version 3 software into the company—even for things that may end up in production," he said in an interview with eWEEK, in New York.

Had the ASP provision remained in the GPLv3, "we just couldn't use [open-source code published under the GPL] in production and expose it to the end user," DiBona said.

Moreover, DiBona said Google, based in Cupertino, Calif., is very strict about what code it allows into its code base. He said the company, which uses a vast amount of open-source software and also contributes a great deal of open-source software to the community, sees no need for software compliance management tools such as those from Black Duck Software or Palamida, because, "We practice extremely tight control on how code comes into the company. And we're very, very good at training our engineers."

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