On the EU Copyright reform
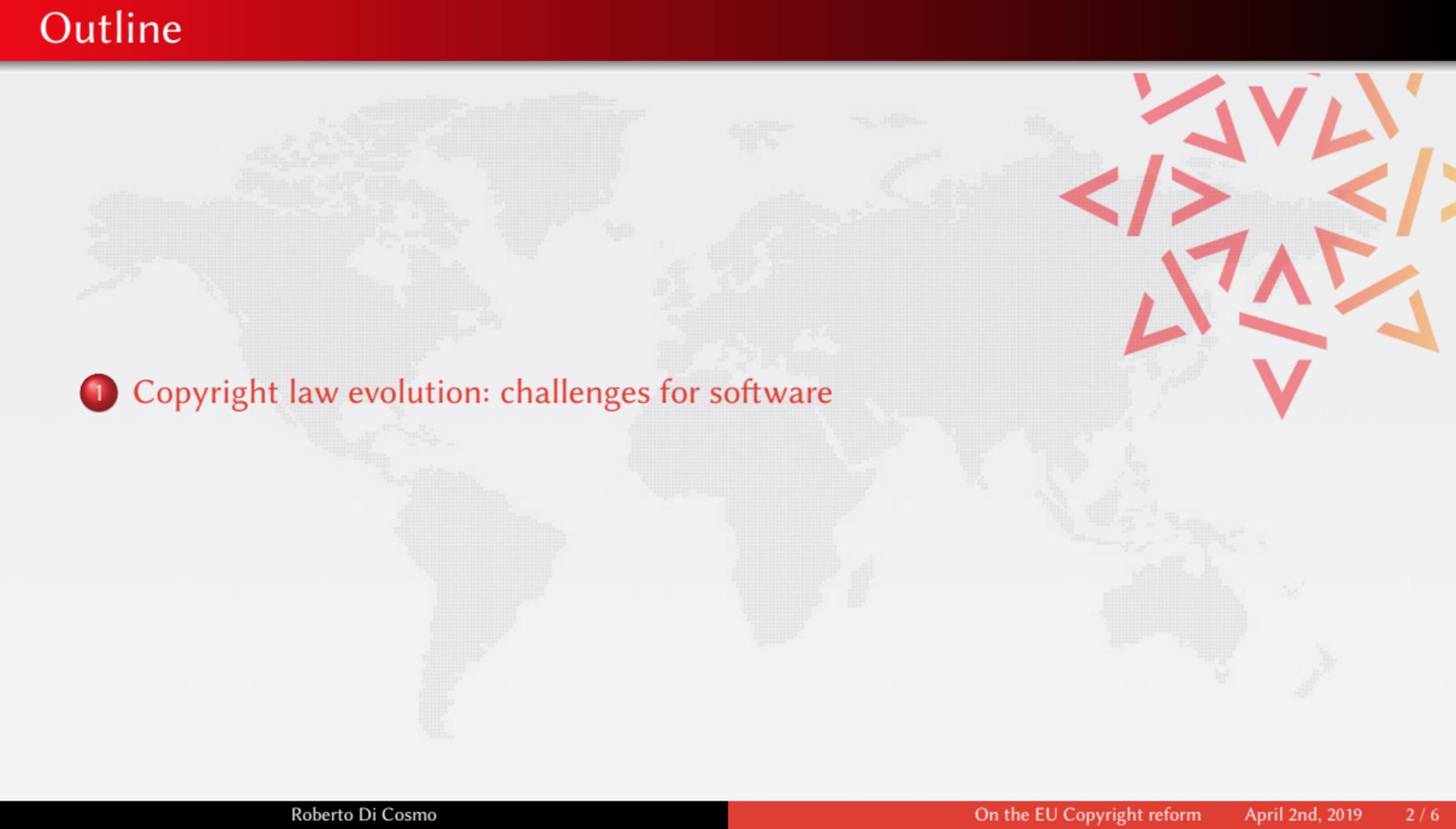
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Software Heritage
THE GREAT LIBRARY OF SOURCE CODE

Outline

1. Copyright law evolution: challenges for software

In 2017, the proposal contains

Article 13

Information society service providers that store and provide to the public access to large amounts of works or other subject-matter uploaded by their users shall, (...), take measures to ensure the functioning of agreements (...). Those measures, such as the use of effective content recognition technologies, shall be appropriate and proportionate.

Endangers software

- development platforms (e.g. GitHub)
- distribution platforms (e.g. Pypi)
- archives (e.g. Software Heritage)

Article 2(5)

(...) Nor does this definition cover websites which store and provide access to content for non-for-profit purposes, such as online encyclopaedias, scientific or educational repositories or open source software developing platforms which do not store and give access to content for profit making purposes.

What was *still endangered*

Software *distribution platforms*

- Maven
- CRAN
- Pypi
- Npm
- Docker
- ....

Software *archives*

- Software Heritage
- Zenodo
- ...

Final text

Approved 28/3/2019

`http://www.europarl.europa.eu/doceo/document/`
`A-8-2018-0245_EN.html`

Article 2(6)

Providers of services such as open source software development and sharing platforms, (...) should also be excluded from the definition of online content-sharing service provider.

How we got there?

oral history from Roberto

Are we safe now?

would have felt better without the "open source" qualifier...

Call for action

Eu participants: follow transcription in national law

make sure the exception stays there!

Non Eu participants: watch out for clones

Eu changes to copyright law usually propagate

Future

raise awareness on software as a key asset

leverage the Paris Call on Software Source Code