Open-Source Business Models: Making money by giving it away

Andrew J. Hall HALL LAW

February 20, 2015 Linux Collaboration Summit Santa Rosa, CA



© 2015 Hall Law. All rights reserved. This presentation is licensed for use and distribution under the Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 (CC BY-NC-ND 4.0) available at: https://creativecommons.org/licenses/by-nc-nd/4.0/legalcode

Presentation Overview

- > Open-Source Business Models
- > Open-Source Development



Open-Source Business Models



Open-source Business Models



Open-source business models usually rely upon one or more of the following strategies:

- 1. Dual-licensing proprietary company software;
- 2. Providing commercial or enterprise versions, plugins, or extensions to open-source products;
- 3. Offering maintenance, support, consulting, or other services that support or complement open-source products;
- 4. Offering hosting, warranty, indemnity, or other products that complement open-source products; and
- 5. Closed-source modified distributions of open-source products.

Open-Source License Types



	License Type	Intended Copyleft Effect	Broader
	Permissive (Apache-2.0, BSD)	None	adoption and use
	Weak Copyleft (LGPL, MPL, CDDL)	Modifications/enhancements to the open-source software	
	Strong Copyleft (GPL, AGPL, OSL)	Certain software distributed in combination with the open-source software.	
	Network Strong Copyleft (AGPL, OSL-3.0)	Certain software distributed or hosted in combination with the open-source software.	
	Prohibitive (Ms-LPL, BCLA)	Typically none, but specific uses (e.g., commercial) are prohibited	Barriers to commercial / competitive use

1. Dual Licensing (1/2)

- Company offers its own proprietary software for use under <u>either</u> of (a) an open-source license or (b) a paid commercial license.
- The open-source license often prohibits or limits commercial use of the software. Licensees wishing to avoid such prohibitions and limitations can purchase a commercial license with more favorable terms.
- > Commercial licenses may additionally or alternatively:
 - (a) provide access to company services (*e.g.*, support, maintenance, and customization);
 - (b) include warranties or indemnification not available under the opensource license;
 - (c) provide early access to updated versions of the software; or(d) resolve infringement allegations made by the licensor.

1. Dual Licensing (2/2)

> Examples:

MySQL, BerkeleyDB, Java EE/SE, MongoDB, Asterisk, Modelio, iText, Wurfl, Qt.

> Challenges:

- Third parties may fork the software creating alternative implementations (*e.g.*, MySQL forks MariaDB and Drizzle)
- Collecting fees may require unpopular licensing campaigns targeting the software's user base.

Barriers to commercial / competitive use

Broader

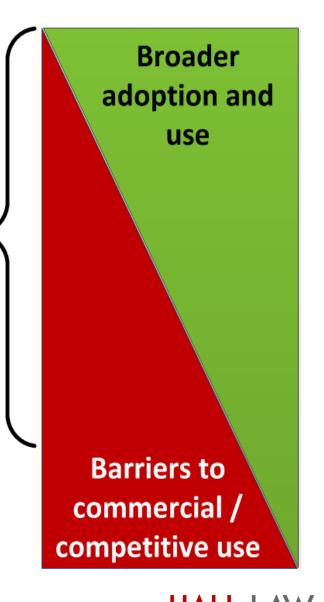
adoption and

use



2. Open Core & Open Platform (1/1)

- > Open Core (Freemium): Company offers a version of its product under an open-source license while offering enhanced or "enterprise" versions of the software under a commercial license.
- > Examples: Sendmail, Java EE/SE, Sourcefire Snort, Qt, SugarCRM
- > Challenges:
 - Potential for forking and third-party premium extensions
 - Limiting access to premium versions can negatively impact community response and adoption



2. Open Core & Open Platform (2/2)

- > Open Platform: Company releases a platform or other software under an opensource license and offers proprietary plug-ins, extensions, applications, or content under commercial licensing terms through the platform.
- > Examples: Android, Eclipse, Hadoop, Wordpress
- Challenge: Success often particularly dependent on broad platform adoption and sometimes third-party participation.

Broader adoption and use **Barriers to** commercial / competitive use



3. Providing Complementary Services

- > Company offers services that relate to or support customer use of opensource software; software may or may not also be licensed by the company.
- Related services include, for example, training, customization, implementation, maintenance, certification, and support services.
- > Selling additional services typically require the company investment of significant additional human or technology resources.
- > **Examples:** Red Hat, Canonical, Novell, Pivotal, Palamida, Black Duck.
- > Challenges:
 - Third parties can typically provide competitive services with limited barriers to entry
 - Service models typically don't scale well



4. Providing Complementary Products

- > Company offers products that complement or heavily depend upon the use of open-source software.
- > Related products include, for example, hosting services, hardware and virtual systems incorporating open-source operating systems and platforms, and providing warranties and indemnification for open-source software and use.
- > Additional product can typically be sold without significant additional resource investment from the providing company.
- Examples: Red Hat's "IP Assurance Program" and RHEL build services; MongoDB and AWS hosting services.
- > Challenges:
 - Third parties can typically provide competitive products with limited barriers to entry
 HALL LAW

5. Closed-Source Distributions

- SOFTWARE + OPEN SOURCE + IP GOVERNANCE
- > Company releases commercial (closed-source) versions of opensource originally licensed under a permissive license (*e.g.*, Apache 2.0) or offers commercial plugins or extensions to an open-source project or platform. The distributions are often specialized for a particular industry or use case.
- > Examples: Cloudera, Hortonworks, MapR and AWS (offering commercial versions of the Apache Hadoop project).
- > Challenges:
 - Third parties can offer competitive services;
 - Success of commercial versions, plugins, and extensions may depend on the success of the underlying software or platform

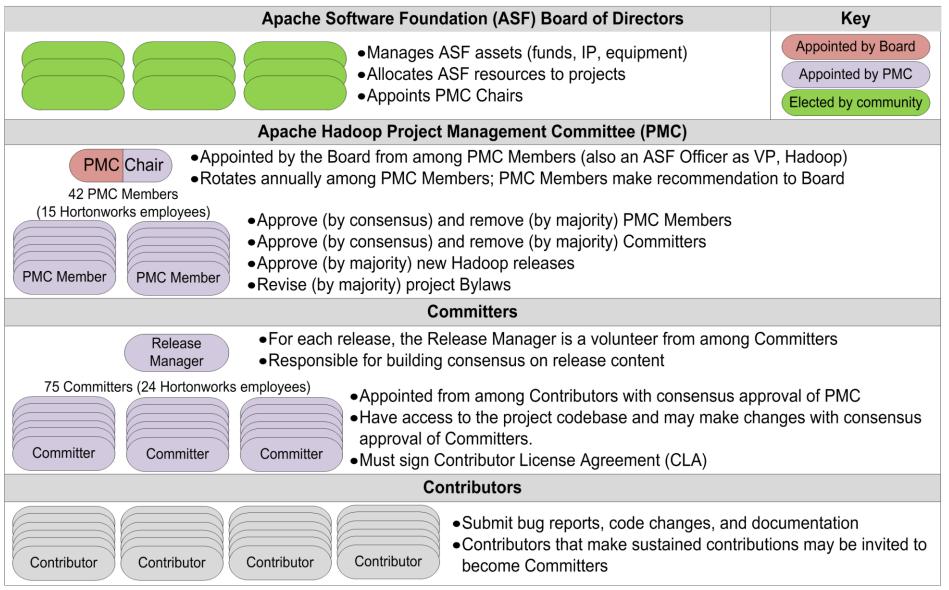
Additional Open Source Revenue Models:



- > Donation-based funding: covering expenses through contributions to the project or a related foundation.
- > Open-source bounties: companies or communities offering bounties for bug and security fixes or functional improvements
- > Crowdfunding: individual, groups, or companies offer to implement functionality for general release under an opensource license in exchange for a set fee.
- Branded merchandising such as merchandise sold by the Mozilla and Wikimedia Foundations.
- > Ad-Supported Software

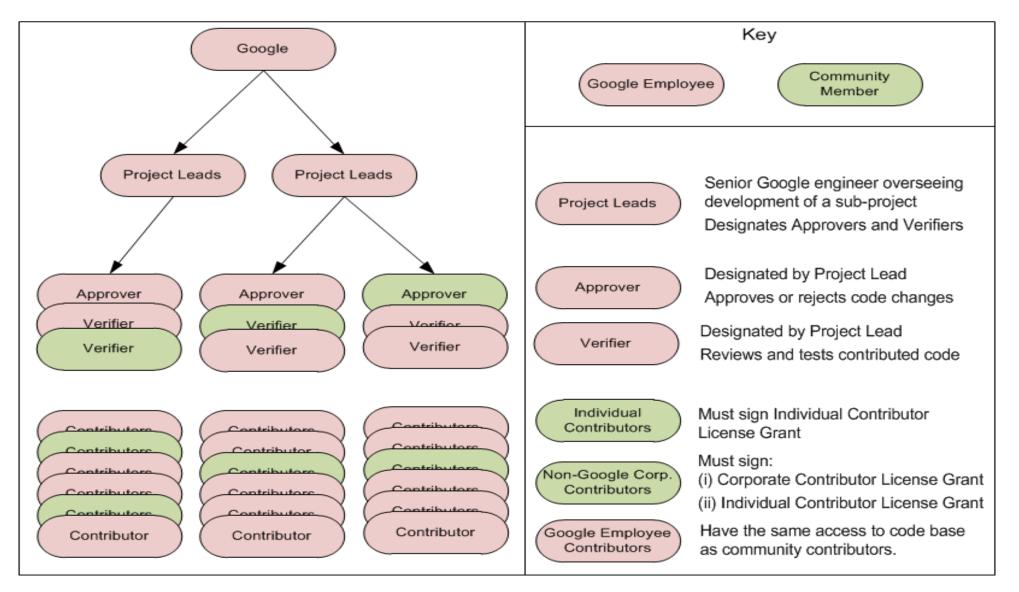
Open Development (1/2)

Apache Hadoop Governance



Open Development (2/2)

Android Governance





Questions, Comments, Thoughts?

Contact: Andrew J. Hall ahall@thehalllaw.com www.thehalllaw.com