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Open Source Movement and Software Patent Reform

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Abstract

The open source movement presents the world a new software development model. Its continuing success can be attested by the exponential growth of software projects under its wings. Pitfalls and challenges loom ahead, however. Intellectual property-related legal issues, in particular, deserve our special attention for their disrupting potential. Among various risks associated with opensource movement, the threat posed by software patents stands out and echoes the concerns by many open source pundits. After reviewing other proposed solutions so far, the author would like advance a new one—the “public patent” mechanism inspired by the movement itself, in the hope to strengthen the long-term viability of the open source movement, and add more fuel to the big debate of patent system reform.

Keywords: open source, software patent