



Software Patent Decision Postponed in Europe

European Governments
Wait for a Democratic Debate

EuroLinux Alliance
petition.eurolinux.org

For immediate Release

Bruxelles, Copenhagen, London, Madrid, Munich, Paris. 2000–11–22. With the exception of Austria, Lichtenstein and Switzerland, all European countries voted in Munich yesterday against an extension of the patent system to software. The exception on computer programs will be maintained in the European Patent Convention after its revision. This move is a clear victory for democracy, since it allows the European Commission to proceed with its public consultation on software patents, together with the European Parliament. National governments in Europe which are currently reviewing in detail the pros and the cons of an extension of the patent system to software, will also be able to participate in the debate.

Nicolas Pettiaux, belgian representative for the EuroLinux Alliance of software publishers and non profit organisations, warns however that “yesterday’s vote should not be interpreted as a vote against software patents, but rather as a vote to postpone any decision on this matter until the consultation launched by the European Commission is closed”. But, according to Stéfane Fermigier of AFUL, member of EuroLinux: “the General Directorate for Internal Market at the European Commission, which is in charge of the consultation, has approached the software patent issue with an ideological point of view. Both their interpretation of the Law and their call for the consultation are obviously biased in favour of software patents. Furthermore, until very recently, they paid no attention to the economic effects and to other side effects of software patents, as they should have according to the Rome and Amsterdam Treaties. We are still very far from a decision to ban software patents in Europe.”

Future EuroLinux actions will be targeted at convincing the European Commission to take a balanced approach on software patents. As the FFII/EuroLinux Software Patent Horror Gallery shows, the European Patent Office is already abusively granting many patents on pure software methods. Such kind of patents are then cancelled by national courts in case of dispute. A clarification is still needed in Europe, either in favour or against software patents. EuroLinux considers that software patents should clearly be banned in Europe because they harm innovation and that software should be protected through copyright.

References

European Patent Office – <http://www.european-patent-office.org>

Software Patent Horror Gallery – <http://petition.eurolinux.org/examples>

Statements for Software Patent Free Europe – <http://petition.eurolinux.org/statements>
The EuroLinux Public Consultation – <http://petition.eurolinux.org/consultation>
The EuroLinux Petition for a Software Patent Free Europe – <http://petition.eurolinux.org>
The EuroLinux File on Software Patents – <http://petition.eurolinux.org/reference>

About EuroLinux – www.eurolinux.org

The EuroLinux Alliance for a Free Information Infrastructure is an open coalition of commercial companies and non-profit associations united to promote and protect a vigorous European Software Culture based on Open Standards, Open Competition, Linux and Open Source Software. Companies members or supporters of EuroLinux develop or sell software under free, semi-free and non-free licenses for operating systems such as Linux, MacOS or Windows.

The EuroLinux Alliance launched on 2000-06-15 an electronic petition to protect software innovation in Europe. The EuroLinux petition has received so far massive support from more than 50.000 European citizens, 2000 corporate managers and 200 companies.

The EuroLinux Alliance has co-organised in 1999, together with the French Embassy in Japan, the first Europe-Japan conference on Linux and Free Software. The EuroLinux Alliance is at the initiative of the www.freepatents.org web site to promote and protect innovation and competition in the European IT industry.

Press Contacts

Germany & Europe: Harmut Pilch phm@ffii.org +49-89 127 89 608
France & Europe: Stéphane Fermigier sf@fermigier.com +33-6 63 04 12 77
Denmark and Northern Europe: Anne Østergaard aoe@sslug.dk
Belgium: Nicolas Pettiaux nicolas.pettiaux@linuxbe.org

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