

The Open Source Way

Episode 11 – License Compliance – From Risks to Developer Friendly Processes



Transcript

Karsten Hohage: Welcome to the Open Source Way, this is our podcast series, SAP's podcast series about the difference that Open Source can be. In each episode we will talk with experts about Open Source and why they do it the Open Source way. I'm your Host Karsten Hohage and in this episode I'm going to talk to Dobrinka Mladenova and Janaka Bohr about Open Source licenses and license compliance and what is important to SAP's customers in this field. Now today we're going to start a little differently. Dobrinka, can you introduce yourself in seven words?

Dobrinka Mladenova: Hi Karsten, thank you for the opportunity to have us today, we really appreciate it, and we were looking forward to the podcast for a long time. It's a difficult one, but I'll try. I like Open Source and peanut butter. I think this is seven words now.

Karsten: Ok, that was surrounded by a few more words, but I think in the center, that was seven words. Great! Janaka, can you do that in seven words, as well?

Janaka Bohr: Arizona Wildcats, sports, Open Source, passion, travel, family and friends, and as a side comment, I have to say: The importance or the order of importance doesn't matter here.

Karsten Hohage: Okay, you chose the key word approach. I see the organized man there. Now, there is, of course, more to say about the two of you. Let me try that really quickly. Correct me if I'm wrong with anything. Dobrinka, you have been part of the SAP family since 2010 and you specialize on licensing and legal matters. Currently, you're a senior licensing specialist in the global licensing department based in Walldorf, Germany that is. And Dobrinka focuses on Open Source license compliance and risk mitigation. She's primarily responsible for SAP mergers and acquisitions (if I got "M&A" right), licensing due diligence and leading the end to end processes from pre-acquisition to full post-merger, etc. She holds a Master of Law degree.

Janaka Bohr joined SAP in 2001 as a strategic technology partner manager. That was actually the time when we kind of had a little bit to do at work, every once in a while. He managed various key technology partnerships for SAP and established the company's Open Source governance process together with the legal department of SAP. Today, Janaka is head of the licensing compliance team within SAP global licensing, and, among other topics, he manages all aspects around Open Source governance at SAP and is responsible for the strategic direction in this area. Prior to working for SAP, Janaka worked as a technical project manager in a startup company in the United States and as a business consultant in a British consulting company. He holds a Bachelor of Science in Management Information Systems and Marketing and an international business certificate from the University of Arizona in Tucson. Now, that was definitely more than seven words from my side. Let's turn back to you, Janaka. How did you end up, how did you get to Open Source? What was your first encounter?

Janaka Bohr: My first encounter with Open Source was actually when I was a project manager in the startup company in Tucson, Arizona. One of my developers was developing so brutally fast, he was faster than anybody else, and I asked him at one point in time "How are you able to deliver everything so much faster than everybody else?" And he said, "Janaka, this is easy. This is all available on the Internet. I just download it and have the functionality ready". And then I asked him "Are you actually allowed to do it?", and he said, "Yes, it says that I can use it". And I looked at the licenses at a high level. It looked like you could do it. But of course, at that time, I was not aware of any topics like copyleft and license infringement and so on. And then, as a consequence, at one point in time, I was exposed to the topic at SAP when I started there because we needed an Open Source approval process that I worked on.

Karsten Hohage: Your first exposure at SAP was when you were still doing partner management, right?

Janaka Bohr: Correct. Yes, this actually came from the executive board and the legal department. They said they needed somebody who could look at the Open Source topic and at how we could use the Open Source software in a compliant and safe manner, considering the risks that are possibly exposed.

Karsten Hohage: Now from that chance encounter with the very quick developer you are now head of SAP's license compliance team, especially for Open Source, right? How big is this team? Is there anything special or particular about the team?

Janaka Bohr: The team's size is between ten and twenty people in general. This also includes students that I have, and what is special about the team is that they are all very curious and interested in Open Source topics and all types of challenges around this topic. Very motivated. And it's a fun time to work with them.

Karsten Hohage: And are you all mostly located in Walldorf or are you kind of internationally spread?

Janaka Bohr: We are in Walldorf, Vancouver, then Palo Alto, and also Sofia.

Karsten Hohage: Wow, okay, but that was only, if I reckon correctly, two major time zones, right?

Janaka Bohr: Yes.

Karsten Hohage: Okay, that makes it at least halfway manageable. How about you Dobrinka, what's your story, your first encounter with Open Source?

Dobrinka Mladenova: Interestingly enough, I got exposed to Open Source through Janaka. In the beginning, I didn't believe that it would be such a long journey. It rather sounded like something interesting to deal with once I finished my law degree. But back in 2010, I was looking for a job in the legal field because, as you said, Karsten, I studied law, but I didn't want to take on the standard legal path like becoming a lawyer or a judge. I wanted to do something interesting, something different, something with more of a twist to it. And it was back then when I heard that SAP in Bulgaria was looking for an IP specialist. So, I did start my career in the legal department. And that's when I also got to know Janaka and was exposed to Open Source.

Karsten Hohage: And did you, at that time, start working directly for Janaka or just...

Dobrinka Mladenova: No, ...

Karsten Hohage: For SAP?

Dobrinka Mladenova: I just started working for SAP, we were in different teams, but we worked together on a couple of Open Source topics like license evaluations and risk mitigation and stuff like that. So, I did have the chance to get to know Janaka before joining his team.

Karsten Hohage: Okay, but now, Janaka is your boss, right?

Dobrinka Mladenova: Yes, this is true now, Janaka has been my boss for eight years now.

Karsten Hohage: Okay, okay, let me dare to ask the following question: I've known Janaka for about 20 years, like inside SAP and partly outside SAP, as well. I'm just wondering how he is as a boss. Can you talk about that on this podcast?

Dobrinka Mladenova: Yes, I can share some things and not share some things, but Janaka is really strict when it comes to work. So, I will say he has really high criteria. But on the side, he is also a lot of fun and he makes it interesting to work with him because he is challenging. He will always give us new topics and new challenges. So that's one of the reasons why I stayed in the team for so long. It never gets boring. Let's put it this way, Karsten.

Karsten Hohage: We should hope so. I mean, I guess in this topic, you have to be really strict, right, because it's an important thing not to infringe anything in any place there. Janaka, you've been working in this field - not directly as the head of the office - for around 20 years since your first contact with these issues. What has changed during that time?

Janaka Bohr: So, in a nutshell, compared to when I started and established the first Open Source process together with the legal department in 2001, nothing is now the same today as it was in 2001, except that we're still here, of course, for Open Source compliance. So, what changed? In a nutshell, we had to learn about Open Source, we took a very risk-based approach. We had very restrictive approval levels which were

even at the executive board level. Why was that? Was it a lack of trust? No, not really. It was rather the situation. What is Open Source software? What is the risk associated to it? And also becoming familiar with it and getting comfortable around Open Source topics and the risks. Over the years we've had a very much risk-based approach and we changed this over the years to make it more focused on the developers. This means we wanted to make it very simple for the developers to use Open Source software, have easy processes in place that allow the use of Open Source software, but at the same time be able to ensure compliance when we use Open Source software.

Karsten Hohage: I think I do remember the times when nobody really knew how to think about Open Source, when most people weren't even aware that you could use it in a product that in the end you wanted to sell, license out for money. But like the changes at SAP you mentioned, does that kind of go in parallel with changes in the industry, in the market?

Janaka Bohr: It goes in parallel as well, because in the beginning, there wasn't, of course, that much Open Source software out there. The number of Open Source software increased heavily over the years and basically most of the companies, at least the ones that I'm working with, are heavily using Open Source software now. And most of them also have compliance processes in place. And they face the same situations that we at SAP did. First, they needed to get comfortable with Open Source, understand what the risks are and then find the right measures to ensure compliance. But at the same time, making it easy for the developers to use it, because you don't want to make it such a burden for the developers to use Open Source software, because if the burden is too heavy, they will not use it. And you can have a lot of benefits by using Open Source software.

Karsten Hohage: That's my impression as well. We even had, was it the last time around, a talk with a colleague from Zeiss whom we know for optics and everything, and they have an Open Source office by now. I mean, it was first just IT companies and now you can see others in this field. What would you say were, be that in the market or be that at SAP, the most important breakthroughs and milestones in Open Source licensing?

Janaka Bohr: The biggest milestones, without saying the years now, was, firstly, the compliance process in place, risk-based and license-compliance-based. Other steps that we took were looking at the architecture checks, having a business case, security, of course, and then when we really changed the case for the developers to use it when we came with tools to automate it, like scanning for Open Source software, but at the same time scanning for security and ensuring that all the Open Source products also have to meet the SAP quality standards. Additionally, with reducing the burden on the developers to use Open Source software to make it very easy, at the beginning, we actually had an approval form that they had to complete. They had to provide all type of information, a business case and so on. We looked at it, we assessed it, we did risk assessments and so on, and then we would make a decision if they could use it or not. Today, we have a completely different approach. We'll review an Open Source software; the developers just have to submit what they want to use. There's a dedicated team - technical people, legal people, licensing people - that look at it to make an assessment. What can they do, what can they not do? What is the risk? And then we prepare that information for the developers, make it accessible and they can pull the information, but at the same time they are required to ensure that they are in compliance with the obligations that are imposed by the license or by our product standards and our requirements. But it makes it very simple. We have a list of Open Source software, developers can pull it, can look at it. What do I have to do? Can I use it? Does it make sense for them?

Karsten Hohage: Yup, sounds easier like that. And then looking forward, on the other hand, what would you say is, negatively put, still missing or what would you like to see more of in the future?

Janaka Bohr: What I would like to see in the future, and there are already very positive trends out there in the market - and Dobrinka will probably speak later, for example, about Clearly Defined. Another thing is, for example, Open Chain. Open Chain basically defines a standard for Open Source compliance criteria. And if companies have a look at those, they can see how they could possibly implement a solid compliance process around Open Source in their own company. And what I like about this, too, is that it gives you not only ideas how you can do it, but it also gives you cornerstones. But you have the freedom how you want to implement these processes. And on top of that, you have the ability to do certain certifications around a standard. And with this, I believe it

will become easier for companies when they, for example, exchange or license solutions to their customers, that there's a specific trust level around that. This is one of the efforts that I like to see in this industry that, actually, we can all trust each other more when it comes down to the usage of Open Source when there's a standard that certain companies or users of Open Source software fulfill, and at the same time, when Open Source communities are developing their own Open Source software.

Karsten Hohage: Let's maybe turn back to you, Dobrinka. Janaka said you had the details on the Open Chain approach there. What would you like to add here?

Dobrinka Mladenova: Well, thanks, Karsten, and thanks Janaka for bringing this up, because it is an interesting thing. It's an example of how things evolved throughout the years and, as Janaka mentioned, SAP is also working on the Open Chain certification. This will definitely help us when it comes to addressing customer concerns or when we can actually prove, given external criteria, that SAP is doing the best work and keeping up with the best practices and standards out there in the Open Source community. And another interesting point that Janaka mentioned is the Clearly Defined one. It did start as an incubation project of the Open Source initiative. But what's interesting to point out is that SAP has been contributing license details and license data to the Clearly Defined project. So not only that we use Open Source, but we also make sure to go back to the Open Source community, either by having our own Open Source project or by contributing to third party projects and I know that you had a podcast about this in the past just for everyone interested. I know that you spoke a little bit about more details previously. But yes, we also participate in projects such as Clearly Defined, where the continuing goal is to maintain certain high levels of quality when it comes to Open Source.

Karsten Hohage: I think you both talked about customer expectations in this context. What are the typical customer expectations and requirements of SAP customers towards Open Source license, compliance, guarantees, whatever?

Dobrinka Mladenova: Well, there are different things that the customer cares about, and as Janaka mentioned earlier, the big one is security. Of course, it's also the quality of the product. But when it comes to our focus, that being the license compliance, we do get a lot of questions, and in the last couple of years the number has significantly

increased. So, customers care a lot about the license compliance. And, of course, they want to ensure that when they buy a product from SAP, this product is license compliant. They do ask questions like "Hey guys, how do you deal with Open Source legal notices? Do you have the right policies and processes in place? How do you ensure compliance with potential high risk licenses?" So those are the things we have to address on a daily basis in Janaka's team.

Karsten Hohage: Okay. Is it possible at all to give an example of a customer discussion, a customer concern there, or is this all too specific and recognizable, even if no names are mentioned?

Dobrinka Mladenova: Well, a couple of years ago we had to comply with a license which required us to send a postcard to the copyright holder of the Open Source, so Janaka did end up, as far as I remember, going to the post office to send the postcard from Walldorf somewhere to the U.S., I believe it was. This is just to show how serious we take things. Then we do try to comply with all the licensing requirements even if it just is drinking a beer or sending the postcard or even going into more detail.

Karsten Hohage: Now, wait a second, that was the developer of some portion of code or something somewhere who basically made it a condition that everyone who uses his stuff sends him a postcard?

Dobrinka Mladenova: Yes, and there is also another one who says, "If you use my source code, please buy me a beer", and someone says, "Go ahead and drink a beer for me." So, you know, this gives you a good opportunity to have some fun after working.

Karsten Hohage: I remember this one thing where we had this kind of discussion about SAP support requirements and a couple of larger companies had a problem with signing these extra 20 or 30 pages. And then there was this single guy who just said "Okay, my stuff works, I'm going to sign it." It kind of reminds me of the one guy who wants to receive a postcard. Now, that's an interesting one. And also with the beer, then you can include a beer with a postcard in a package or something. Right. And then you're allowed to use the stuff. That's great. Okay, maybe same approach, different way. That

was a provider of stuff now - what's the most important thing for making our customers happy in the field of Open Source licenses?

Janaka Bohr: I think Dobrinka more or less summarized it or explained it, so let me summarize it again. So, what we care about is compliance, security, that the companies that use Open Source software have good processes in place that ensure the compliance and the approvals for Open Source software, so that the policy is in place. Often, they actually ask us now "Do you have scan tools in order to identify Open Source software?" One thing they explicitly ask is: "Are you safe when it comes to copyleft? Do you have the diligence processes in place? How are you tackling copyleft topics?" Then, of course, another thing that Dobrinka already mentioned is copyright notices when you do your delivery. "Do you have the copyright notices that are required in place?" They also want us to provide them with information on whether we train our employees on Open Source and the policies. And those are the most common things that I have noticed that customers come and ask us, and this shows us that it's critical and important to them that we cover these topics seriously.

Karsten Hohage: Let me maybe pick up the training that you just mentioned, is that the most important thing that we do - or what do we do on SAP's side to stay up to speed when it comes to Open Source compliance? Because, I mean, there are, I don't know, there are new license types entering the market. There are kinds of things happening that change. What do we do to stay informed?

Dobrinka Mladenova: I really like what Janaka said. It's always about being continuously educated on the topic because things do change. And that's why we also try to always change our standards and our tools. We try to use what's really the best out there. But it's also important to provide trainings to all the people who want to use Open Source. What's interesting about Open Source is that it's a mixture of a lot of technical details, but also a little bit of legal stuff, IP, intellectual property standards, a little bit of all, just like license compliance. And one needs to know the technical details, but also be able to understand the licensing details in order to be compliant and also in order to be able to choose the best Open Source project for one's needs. So, with this in mind, we do try to provide trainings for our SAP colleagues and sometimes we also do this externally as well.

Karsten Hohage: Okay. Anything you want to add, Janaka?

Janaka Bohr: Yes, if I recall correctly, you also asked how we are staying up to speed and also make sure that the teams or our employees, developers, know about the changes. The one thing, this is also what makes Open Source so interesting, is the variety of networks that you have out there in the field. Other companies, Open Source Program Offices, developers speaking with other Open Source communities. It's a big network in which people openly speak about concerned topics so everyone can learn, and actually this network makes it extremely interesting. But at the same time, we learn from our peers out in the market how we can make things better. And of course, if we see that there are some trends happening out there around processes compliance or other things around Open Source, we try to ensure that we keep up to speed and implement and make the changes necessary and, of course, inform and train our people on that.

Karsten Hohage: Now you mentioned the networks and the open exchange in the Open Source world, I know, and I assume that's true for developers. Does that hold true also for the legal and licensing side? Because there is often more secrecy involved in that. Let's put it that way. But that exchange also happens in that field?

Janaka Bohr: Yes, it does actually. On this one, I was very surprised and there's actually a change coming back to your original question, Karsten, at the beginning of the podcast: "Has it changed from the past?". In the beginning, in 2001, we all did not really share, at least we as a company. And then over the years, this became very open because the companies all faced the same situations. And they learned that when we speak with each other, we can make it significantly better and can actually elaborate on that. And I think this actually came from the topic itself, Open Source contributions, that the legal people, the companies, actually said, "Hey, when our developers are sharing information around Open Source, why don't we share and make the best practices together?" And that's also what is proven when you look at Open Chain and Clearly Defined. It's actually amazing and very interesting.

Karsten Hohage: Okay, sounds great. So, is Open Chain already a product of this kind of cooperation, also in the licensing and compliance field?

Dobrinka Mladenova: Karsten, it's rather an international standard for Open Source license compliance, and in simple words it is if all the companies getting certified, then all of them are proving to have met a certain level of high standards. And if a customer, for example, comes and asks us and says "Hey, guys, what do you do to stay compliant?", we can say that we are certified for compliance with Open Chain ISO and this is already like, wow, this is cool. We can trust SAP; they are going to do a good job with license compliance.

Karsten Hohage: Okay, but it's definitely a part of that more collaborative world, right?

Dobrinka Mladenova: Exactly, exactly.

Janaka Bohr: It is the result of the collaboration and the willingness of the companies to share information, how to do it and to define what is necessary and what the best practice out there is. So, it's a result of that in the end, in my opinion.

Karsten Hohage: So, overall, Janaka and Dobrinka, what would be the three key takeaways that you would want people to remember from this podcast? If you wish, you can separate it between takeaways for customers and takeaways for people who are involved in producing Open Source software.

Dobrinka Mladenova: So, when it comes to the customers, I think the best way to meet the customers' expectations is to invest in the processes, the automation and the tooling, but also to leverage what's out there in the Open Source community when it comes to license compliance. And when you speak about someone who is holding, someone who is using Open Source, then the priority here, in my opinion, is having the standard approach towards compliance, not always deciding ad hoc, whether certain Open Source is license compliant, but rather having the knowledge, having the policies in place, having the right processes, and that just makes it easier to ensure that you're compliant, but it also gives you a little more time to have fun when you use Open Source, because Open Source is a lot of fun in the end.

Karsten Hohage: Okay, how about you, Janaka?

Janaka Bohr: Open Source compliance matters, make sure if you implement processes that you feel comfortable with the risk level that you want to accept and please also make it simple for developers to use without risking the comfort level and the risk level that you want to see in your company.

Karsten Hohage: I'm sure all developers out there will be grateful for that final point: Make it simple for developers.

Karsten Hohage: Thank you both for being our guests today. It was nice to have you here. And thank you all for listening to the Open Source Way. If you enjoyed this episode, please share and don't miss our next episode in a month from today, always on the last Wednesday of the month. You will find us on openSAP and in all regular podcast distribution channels like Spotify, Apple, Google podcasts, TuneIn, etc. Thank you for listening. Thank you again, Dobrinka and Janaka, for being here. And we now all say goodbye.

Dobrinka Mladenova: Thank you, Karsten.

Janaka Bohr: Thank you Karsten, for running us through the show.