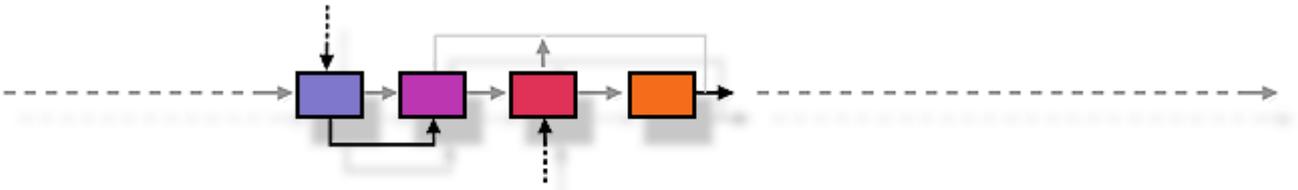




Java
Community
Process



JCP.next

Oracle's proposal for JSR 358

June 11, 2013

Constitutional change



Using the Process to change the Process



- We modify the Process (as defined in the Process Document and the JSPA) by filing JSRs.
- The Chair is the Spec Lead, and the Executive Committee members form the Expert Group for these JSRs.
- Process-change JSRs go through all of the same stages as regular JSRs.
- The output is a new version of the Process Document and/or the JSPA.

JCP.next background



- At the October 2010 EC meeting in Bonn we agreed to move forward with a series of changes to reform the JCP's processes and to ensure that there are no conflicts between our governing documents (the JSPA and the Process Document) and our licensing practices.
- We started with JSR 348, which focused on relatively simple changes to make our processes more transparent and to enable broader participation.
- We then moved on to JSR 355, which merged the two Executive Committees.
- In completing these two JSRs we postponed the more complex and difficult issues, including those that would require modifying the JSPA, to a third JSR (JSR 358).

Topics for consideration in JSR 358



- Independent Implementations
- Compatibility
- Licensing and open source
- Transparency
- Patent policy
- The role of individuals
- Fee structure
- The role of the RI
- TCK changes
- Expert Group dissolution
- IP flow
- Withdrawal of IP
- End of life for JSRs
- Escrow process
- Refactor the JSPA
- Collaboration with other SDOs

See [this presentation](#) and the [Issue Tracker](#) for full details.

Our efforts to date have been focused on the items listed *in red*.

Progress so far



- Our initial focus has been primarily in two areas, each driven by a Working Group.
- The Working Group on individual members has presented several times to the full EG and will do so again at this meeting.
- The Working Group on IP policy, licensing, and open-source discussed presentations from IBM, CloudBees, and RedHat:
 - [Hub-and-spoke IP grants](#) (IBM).
 - [Essential Patent alternatives and standard licenses](#) (IBM).
 - [RI and TCK licensing proposal](#) (CloudBees).
 - [Response on RI and TCK licensing](#) (RedHat).

Oracle's proposal



- EG members agreed that further work in the area of IP policy and licensing should be postponed until Oracle presented a response to the Working Group's proposals.
- Rather than responding piecemeal we prepared a comprehensive proposal.
- This builds on the changes the Working Group proposed, putting increased emphasis on openness, transparency, and participation.
 - Re-emphasize Oracle's commitment to "free as in speech."
 - Balance desires for "free as in beer" with a recognition that Oracle and other Spec Leads are entitled to a fair return on their often considerable investments in Java.
- We have discussed this proposal with Oracle's lawyers and executives and we now have approval to move forward with it.

Summary



- Modify the JSPA and related documents. Define standardized licenses, contribution agreements, and development practices.
 - Remove ambiguities and make these JCP legal underpinnings consistent with each other and with our licensing practices.
- Formally embrace open-source licensing and development processes.
- Bring the reforms that began with JSR 348 to a logical conclusion, making the work of the JCP even more open and transparent, and enabling broader participation.
- Define the processes that we will follow for the next several years.
 - Some fine-tuning will obviously be necessary, but we don't expect to make substantive additional changes.

Details



- Modified JSPA.
- Standard Specification License.
- Standard Contributor Agreement.
- Open-source development processes.
- Standard RI licenses.
- Standard TCK licenses.
- Developer access to TCKs.

Modified JSPA



- Modify the JSPA and related procedural documents to incorporate the changes discussed below, ensuring that there are no conflicts between them and Oracle’s current and future practices as a participant in and steward of the JCP.
 - In the process simplify the JSPA, cleaning out the “cruft” that has accumulated over the years.
- NOTE: Oracle reserves the right to add Field of Use restrictions to TCK licenses. This may need to be explicitly called out in the JSPA.

Modified JSPA (EC response)



- We would like to define an IPR policy that is “flat” rather than based on a “hub-and-spoke” model. (That is, contributors should make grants directly to implementers and users rather than IP flowing via the Spec Lead.)

Standard Specification License



- The Specifications for all future JSRs must be licensed under a standard *JCP Specification License* that includes strong compatibility requirements.
- Oracle Legal will draft this license, which will be derived from the Specification License template currently used by Oracle and the majority of other Spec Leads.
 - NOTE: although Oracle Legal will draft this and the other documents discussed in this proposal, this will necessarily be a collaborative process with Expert Group (EC) members and their own legal staff. As with any JSR, the EG must approve the final output including all relevant documents.

Standard Contributor Agreement



- Oracle Legal will draft a standard *JSR Contributor Agreement*, to be derived from the current *Oracle Contributor Agreement*.
 - This agreement will give all Spec Leads the right to incorporate contributions into their RIs and TCKs and to re-license these on commercial terms. Additionally, the agreement will give Oracle the right to incorporate contributions into Umbrella JSRs* or their TCKs and to re-license these on commercial terms.
 - Signing the JSPA will automatically imply signing the Contributor Agreement, but the agreement may also be signed by those who want to make contributions without signing the JSPA.
- **An Umbrella JSR defines or revises a Platform or Profile JSR. For example, the Platform JSRs for Java SE and Java EE are Umbrella JSRs. So are the two recent Java ME JSRs (360 and 361).*

Standard Contributor Agreement (EC response)



- A Contributor Agreement may be unnecessary for projects hosted at well-regulated institutions such as Eclipse and Apache.
 - Note: the RI for JSR 317 (JPA 2) was hosted at Eclipse without a CLA, though it was dual-licensed under the BSD-derived Eclipse Distribution License with the agreement of the Eclipse BOD.
- Any Contributor Agreement we approve must be symmetric (not granting special rights to any institution) and must not grant joint ownership to Oracle.

Open-source development processes



- The RIs for all future non-Umbrella JSRs must be developed through open-source projects.
 - This does not imply that the Spec Lead must accept all proposed contributions. The usual “meritocratic” processes apply.
- It must be possible to host these projects outside of Oracle (e.g, at Eclipse or Apache).
- We should define the characteristics we expect the development processes to demonstrate, and Spec Leads should be required to publish data to enable the EC to judge whether they are fulfilling their obligations.

Standard RI licenses



- The RIs for all future non-Umbrella JSRs must be made available under one or more of a small set of *Approved Open-Source Licenses*.
 - The current candidates for this shortlist are GPL v2 plus Classpath Exception, Apache v2.0, and Eclipse v1.0.
 - We may add one or two more, but should keep the list short.
 - Note that the RI might include (embed) material that is licensed differently (e.g., through BSD).
- Additional open-source and commercial licenses, which need not be disclosed, may also be offered at the Spec Lead's discretion.
- Define a *Standard Commercial RI License* that must be used for Umbrella JSRs that are not released under one of the *Approved Open-Source Licenses*.

Standard TCK licenses



- TCKs for all future JSRs must be made available for certification and branding purposes under one or more of the *Approved Open-Source Licenses* and/or a *Standard Commercial TCK License*.
- Additional open-source and commercial licenses, which need not be disclosed, may also be offered at the Spec Lead's discretion.
- Oracle Legal will draft the commercial license, which will be derived from the TCK license Oracle currently uses.

Developer access to TCKs



- The TCKs for all future non-Umbrella JSRs must be made available to all participants in the relevant RI open-source project under a standard *JCP Community TCK License*.
- Oracle Legal will draft this license, which will be derived from the [Oracle Community TCK License Agreement](#) (OCTLA) currently used to provide developers who participate in OpenJDK with access to the Java SE TCK (the JCK).
- The *Community TCK License* will permit licensees to test the RI and to test implementations that are substantially derived from the RI and that will be licensed under similar terms.
- This license will explicitly prohibit the use of the TCK for making comparative compatibility claims and will confer no branding rights.

Developer access to TCKs (EC response)



- Some EC members argued that insisting that the *Community TCK License* be available only through the RI open-source project discriminates against alternative FOSS implementations (for example, JBOSS.)
- CloudBees suggests that the license also be made available to participants in implementations that are licensed under the same terms as the RI (thereby preserving the GPL “protection.”)
- Oracle responded that the JSPA requires that the TCK be provided for free to not-for-profit organizations. While this wouldn't apply to JBOSS it should resolve the concern for the majority of FOSS projects.
- RedHat and CloudBees should continue to discuss and come back with a proposal if they are still concerned.

Notes



- In addition to adopting the above requirements for all component JSRs Oracle will voluntarily commit to open-source licensing and development practices for the RIs for Java SE and Java EE Umbrella JSRs. They will also commit to *Community TCK Licensing* for the associated TCKs.
- Oracle will not make such a commitment for the RIs and TCKs for Java ME Umbrella JSRs (currently including 360 and 361); these will continue to be developed by Oracle and licensed only on commercial terms.
- Oracle will not release its TCKs under open-source licenses but understands that many others will wish to do so.
 - Instead, it will use the *Standard Commercial TCK License* in addition to the *Community TCK License*.

Notes (EC response)



- EC members want the *voluntary commitment* to be documented.

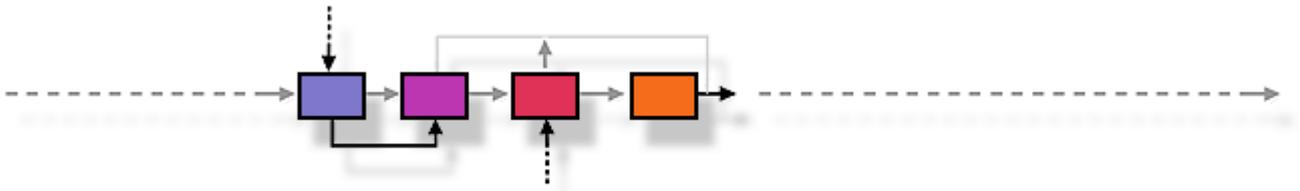
Conclusion



- We have a comprehensive proposal to formally embrace open-source licensing and development processes, to simplify our licensing, and to ensure consistency between the JSPA, our other procedural documents, and our actual practices.
- Suggested next steps:
 - The EC agrees to the proposed approach.
 - The EC discusses mechanisms, priorities, and schedules for moving forward.
 - Let's get to work!



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Thank You!

<http://jcp.org>