

OFE Release 161209

The EC Settlement Sends an Unambiguous Message to the Market – Lock-In is Dead

The European Commission has today sent an important message to the ICT industry that it will no longer tolerate illegal practices by proprietary suppliers leading to customer lock-in. Competitive, free choice should be the norm.

The Commission scored both a significant victory for the Internet by allowing millions of Europeans a free choice to choose their browsers, and ensuring that interoperability information must be disclosed.

Under today's settlement intended to resolve issues raised in the 2007 complaint filed by Norwegian-based browser vendor Opera, Europeans will soon be offered a real choice of browsers, a key technology supporting web based applications which compete with native applications and operating systems such as Microsoft's superdominant Office Suite and Windows platform. Until now, the browser market has remained uncompetitive because Internet Explorer is tied to the nearly ubiquitous Windows operating system and comes preloaded in almost all computers. Compare this to the mobile computing market, where no dominant operating system exists and where new features and applications are being introduced at rapid speed. The small amount of competition currently in the PC market already has led to tabbed browsing, faster downloads, and more secure surfing. In a truly competitive market, innovation would shift into overdrive. With real browser choice, we expect innovation to take off as web application developers have greater opportunity to take advantage of innovation in alternative browsers, which in turn spurs Microsoft on to make improvements and, we hope, to using Open Standards such as HTML5.

Another major announcement today is the Public Undertaking on interoperability. It requires Microsoft to disclose interoperability information to allow, for instance, rival servers to communicate with Microsoft Windows computers on the same footing as Microsoft Windows servers and enable better compatibility between the Office suite and open source productivity applications such as OpenOffice. The scope of this undertaking is significantly broader than that of the 2004 Decision, which was limited to workgroup servers. The accompanying patent license may be compatible with certain open source license models, although it remains to be seen whether this works in practice. Unfortunately, the provisions on open standards compliance are limited, and we are concerned that they leave too many escape clause.

Graham Taylor, CEO of Open Forum Europe commented, « All in all, we should be pleased with today's achievements, which we expect to create real consumer benefits. But we must remain vigilant to continuing practices which might still undermine this "settlement" . We urge close surveillance of the present browser choice commitment and interoperability undertaking, but hope that Microsoft will now act proactively to remove other continuing concerns, such as those in respect of patents threats and office data formats. »

Note:

OpenForum Europe (OFE) is not-for-profit, independent of any organisation. and was originally launched in March 2002 to accelerate, broaden and strengthen the use of Open Source Software in business and government. OFE's role has now expanded and is a strong supporter of Open Standards and Openness and pursues the vision of facilitating open competitive choice for IT users. OFE is supported by major IT suppliers, user organisations and national partners.

OpenForum Europe acknowledges all the input received from its members and partners in the compilation of this document. However, OpenForum Europe does not seek to represent any specific community nor present its opinions as being unanimously supported by its full membership. References given are fully attributed and every effort made to ensure they have been taken in true context.

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