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Problem Recap

- Non-ARB extensions are presently not part of OpenGL and hence are not covered by an OpenGL license per se
- License availability and terms for the IP associated with Non-ARB extensions are generally unknown
- The protections afforded general OpenGL licensees with respect to future claims by extension Promoters are poorly defined
- Ad hoc extension-by-extension and/or company-by-company license agreements are expensive and time consuming to negotiate and different licensees will generally get different terms
- The present uncertainty discourages and/or slows down the adoption of Non-ARB extensions

Discourage Extension-related IP Surprises

- Need:
 - More comprehensive limits on extension-related IP surprises
- Potential Solutions:
 - Addendum to OpenGL licenses or ARB by-laws to address extension related activities of all OpenGL licensees (not just ARB members)
 - Clarify duties/expectations (to be determined) of active Promoters *and* passive observers with respect to extension-related IP; require some form of documented acknowledgement of same
 - Exclude extension proposals by Promoters who are unwilling to state their licensing position up-front
 - Exclude extension proposals by Promoters who are not representatives of record with authority to state an official licensing position

Extension Licensing Position

Multiple-Choice Example

(use restricted to conforming OGL implementations is implied)

Intend to royalty-free/low-fee license, without reservations for preferred approaches (see next)

Intend to royalty-free/low-fee license basic functionality, but preferred implementation approaches are reserved for the Promoter's own use

Intend to license only on an ad hoc basis (different licensees generally will get different terms, substantial royalties and fees may apply)

Generally do not intend to license

Other (Promoter must provide specifics)

New Extensions Category

- Need:
 - Limit extension-by-extension and company-by-company *ad hoc* license agreements to truly special cases
- Potential Solution:
 - Extensions that are promoted to be royalty-free/no-fee licensed and meet other standard criteria and limitations (to be determined), are designated as belonging to a new extensions category (`_NXT?`) defined to be “part of OpenGL for licensing purposes only”
 - These `_NXT` extensions avoid the need for the detailed peer review process required of `_ARB` extension candidates
 - SGI merely acts as a license clearinghouse for a broad class of extensions via its existing OpenGL license program
 - Promoters of existing `_EXT` extensions will be encouraged to resubmit appropriate existing extensions to clarify their licensing positions

Archiving of Extensions

- Needs:
 - Position statements within the extensions regarding Intellectual Property issues should be preserved and easily retrievable
 - Any changes need to be easily detectable
- Potential Solution:
 - OpenGL extension documents need to be automatically archived using a revision control system
 - The host company must insure that the archives are securely maintained indefinitely