

# When Cloud Computing Gets Cloudy

by Carlo Piana

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SFScon – Bolzano - 13/11/2009

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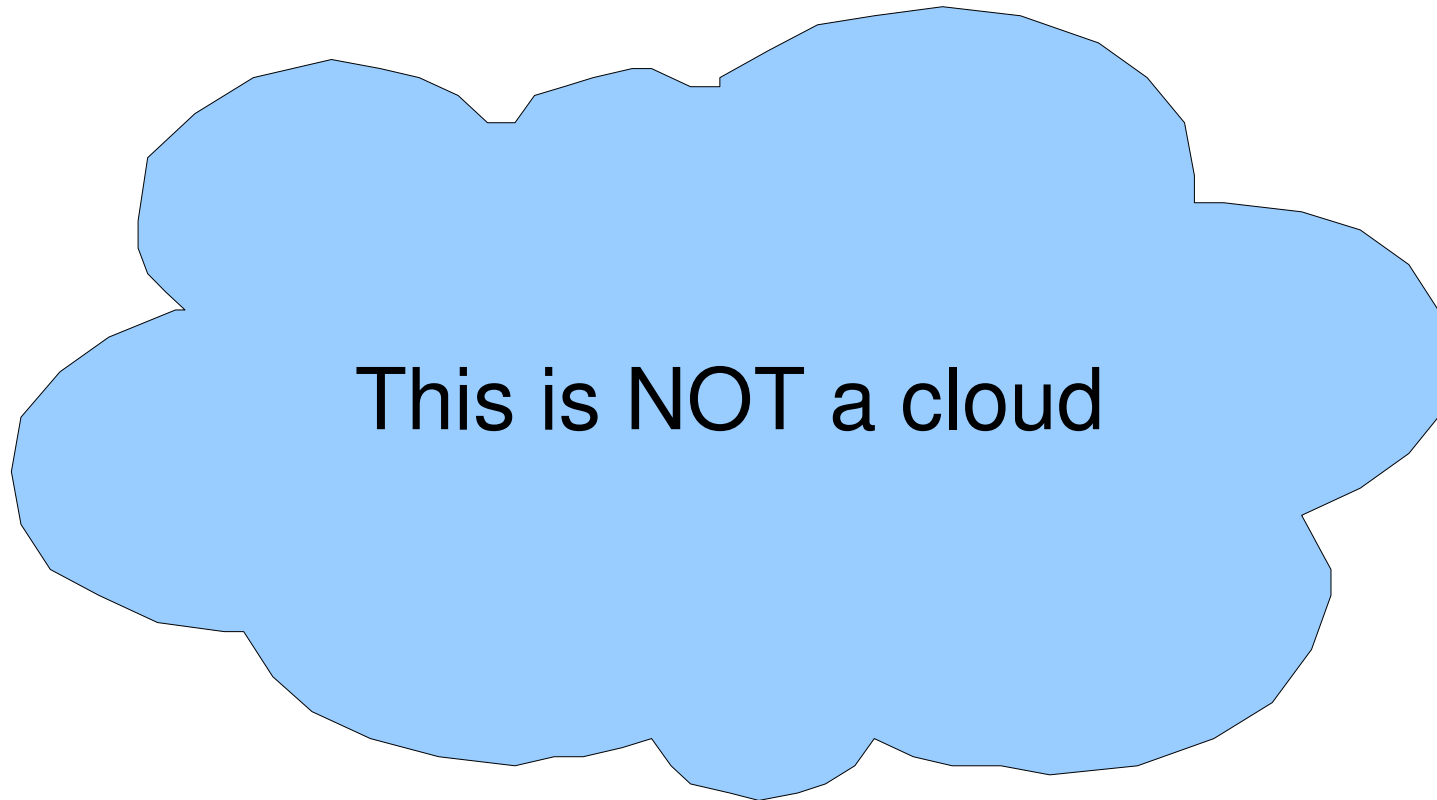
# Who

- General Counsel (external) Free Software Foundation Europe
- Lawyer + Free Software advocate
- Blog, Law is Freedom: <http://piiana.eu>

# What

- What is cloud computing (the short answer)?
- What are the main legal issues?
- What are the main Free Software issues?

# What is the cloud



[http://www.youtube.com/watch?v=ae\\_DKNwK\\_ms](http://www.youtube.com/watch?v=ae_DKNwK_ms)

# Different types

- Private/public (or mix, mash-ups)
  - Private Clouds are just a different IT paradigm
  - Public Clouds are **outsourced** IT
- Infrastructural/applications
  - Infrastructural: es. Amazon RDBS
  - Applications: es. Google Maps

# Where lies the problem?

***Outsourcing SaaS***

# Security

**Security/reliability**

# Privacy

**Privacy**

# Governance & sustainability

**Goveranance sustainability**

# Property of data

**”Property” of data**

**Free Software  
Free Society**

selected essays of

**Richard M.  
Stallman**

introduction by  
**Lawrence  
Lessig**

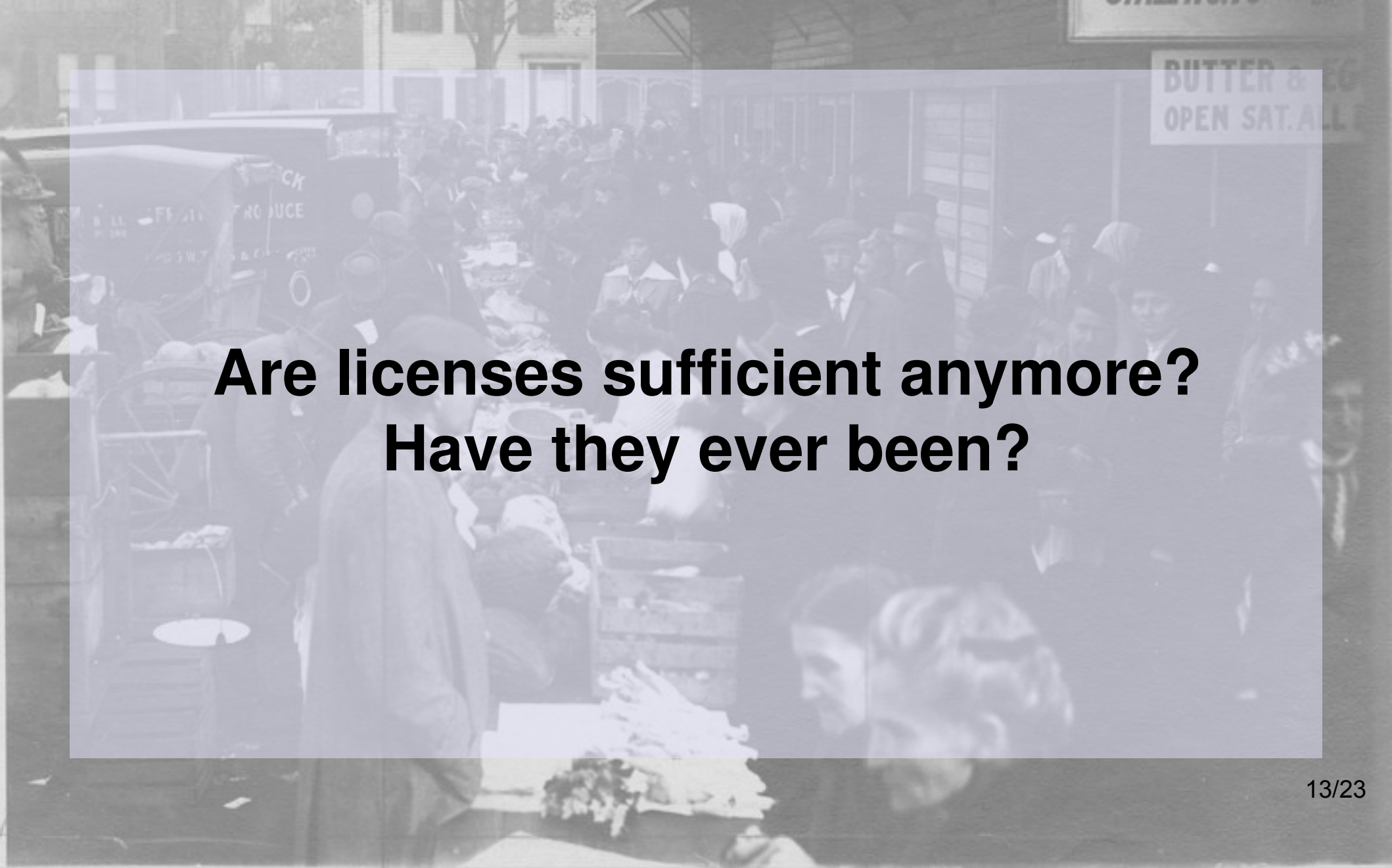
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Gay**

# Freedom in the "old" market



Cornell University  
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# Licenses



**Are licenses sufficient anymore?  
Have they ever been?**

# Licenses to ensure Freedom


- Liberal/permissive
  - Only Rights and permissions
  - Allow proprietarization
- Copyleft
  - Obligation
  - Refrain from proprietarization

# Copyleft

- "Copyleft is a general method for making a program or other work free, and requiring all modified and extended versions of the program to be free as well"
  - <http://www.fsf.org/licensing/essays/copyleft.html>

# Social environment to ensure Freedom

- Many non-legal reasons to comply
  - Technical/economical
  - Publicity
  - Moral



**What happens with cloud computing?**

**With Cloud Computing, Free Software is  
the best business case.**

**The problem lies with the "Free Rider"  
effect**

**No distribution of software?  
No copyleft!**

**Is it a new era in Software Freedom?**

# Solutions - more

- Legal
  - *Licensing*
  - Contractual
- Social
  - Advocacy, awareness
  - Schemes, qualifications, trademarks
- Technical
  - Standards

# Take away points

- Cloud computing generates issues on a SAaaS basis
- Is an issue in general, it is more an issue for Free Software (“no copyleft”)
- Law is not everything, awareness and social control are equally – if not more – important