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Software Patents Showdown in Brussels

2005-02-17: European democracy needs your help - again

LinuxReviews.org

The EU Council will meet 17 February and try to adopt a very controversial legislation, or 'political agreement', that would lay the ground work for patenting software within the EU. The proposed legislation could potentially cause serious problems for Linux users and the Open Source world in general. Now is the time to show your support.

The European Parliament's Legal Affairs (JURI) Committee last week asked the EU Council to restart and the whole legislative process regarding software patents. Dieter Van Uytvanck, president of FFII Belgium, had this to say about this victory: *"We owe this victory for democracy to the members of the European parliament. Today they have shown once again that they really care about the concerns of the European citizens. And of course we would like to thank those as well. I'm sure that without their impressive support for an innovative climate that is freed of software patents, this step would not have been possible."*

This made the huge corporations who rely on patents as part of their business model worried. Patent supporters have now managed to push the EU into a meeting on February 17th where they will try to get the old, outdated and horrible version of the legislation pushed through. Poland managed to block attempts at doing so twice, but will not do it this time around. The political pressure to support the directive got too intense for the Polish government, they have now turned around and are officially supporting the legislation.

This is why FFII now needs your help: Another country is needed to block it this round. If you live in the EU then please contact your national government and ask them to oppose the EU Councils attempt to push through the old patent directive before the JURI Commissions request to rethink it has been properly answered.

Patents on software code and algorithms that are not part of hardware devices are currently not allowed in the EU, but the current proposal can change all that. A US-like patent regime could be implemented in the EU if no country puts the foot down.

The members of Parliament are in the EU elected directly by the citizens and shares legislative power with the Council of Members. The EU Council, on the other hand, is made up of ministers from the EU member state governments. In short, those who are elected by citizens are now trying to block undemocratic laws proposed by those who are not. The parliaments has previously tried to put some safeguards in place that would have prevented the extending of software patents, but their attempt was sadly blocked by the EU Council.

Dear FFII supporter[1],

It is time to stand up for European democracy. Talk to your government. Join the demonstration. There will be a major confrontation in Brussels on February 17th 2005 (see <http://demo.ffii.org/demo0502/>).

Last week, the European Parliament's Legal Affairs (JURI) Committee asked to restart the legislative process on software

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patents, but this request is still in danger:

- The EU Council is planning to adopt its outdated "political agreement" on software patents at a meeting of the finance ministers on February 17th. Poland can not be expected to stop it again on its own. Another country has to take the initiative (but will receive support from Poland).
- Once the Council adopts its "agreement", the Commission may choose to ignore the Parliament's request for a restart of the procedure.
- We can not be sure that under such circumstances the European Parliament's Conference of Presidents (which also meets on the 17th) will opt for a confrontation.

Thus it is still possible that we end up with a 2nd reading, with all its dangers[2].

In this critical situation we need your help.

If you reply to this mail and tick any of the following items, we will try to provide some assistance and coordination.

- [] I will try to contact my national government and ask them to oppose a Council meeting agenda containing the software patent directive, at least not before the Commission has answered the European Parliament's request, or/and to ask for renegotiation in the Council (B-item).
- [] I will try to contact the European Commission and ask them to answer the European Parliament's request ASAP.
- [] I will try to come to Brussels on February 17th to join the demonstration and press conference
- [] I would like to call on MEPs to join the demo / press conference
- [] I would like to contact media and press agencies.
- [] I will help organise car pools or busses from my region to Brussels. (Note: for Paris rather use the wiki at <http://mm.ffii.org/CoachParis050217Fr>)
- [] I will place a banner or protest page on my website and register my participation via the aktiv web interface[3]
- [] I will contact some important websites and ask them to participate
- [] I will donate (<http://donate.ffii.org/>)

We hope to hear from you and to see you in Brussels.

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Holger Blasum, Christian Cornelssen, Benjamin Henrion, Erik Josefsson, Felix Klee, Jonas Maebe, Jan Wildeboer

- [1] This mail was sent to linuxreviews in <https://aktiv.ffii.org/>
- [2] <http://swpat.ffii.org/letters/juri0502/>
- [3] <http://www.ffii.org/ffii-cgi/eintrag?m=netstrike>

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