NEWSFACTOR MAGAZINE ONLINE

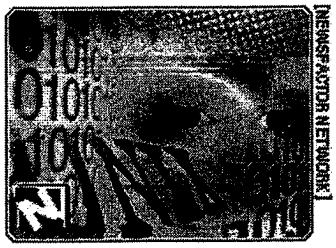
FIND:

NewsFactor Network

September 8, 2006
Updated Daily



# SCO Heats Up Linux Legal Battle with IBM



By James Maguire
May 2, 2003 11:38AM

SCO's charge that the Linux kernel contains exact c expected to be greeted unenthusiastically in the Lin doubt on the legitimacy of the open-source OS.

[advertisement]

› The SCO Group announced its conclusion that code from the company's Unixware OS has been copied into the Linux OS. The statement sprang from an analysis performed in conjunction with the SCO Group's billion-dollar lawsuit against IBM, which alleges that the tech giant misappropriated code from Unix and incorporated it into Linux. SCO owns the copyright to Unix.

"We had hired some outside consultants to compare code from the Linux kernel to our Unix system 5 source code, which is the base Unix source code that is used for a lot of different products," Blake Stowell, SCO director of public relations, told NewsFactor.

"In doing the comparison, there were instances where they found line-by-line copies -- direct copy and pasting of code -- and other instances where the code had been obfuscated. [It was] changed to look like it was different, but in reality it was the same code," Stowell said.

The announcement from SCO, which is still in the process of changing its name from Caldera, came

**NewsFactor Ne**

1. IBM to Set Ne
2. Settlement R Case
3. Electronic Art
4. Facebook Alte
5. Secrets of Onl

**Most Popular A**

1. Google CEO J Directors

shortly after IBM's filing in U.S. District Court in Utah.

In its filing, IBM stated that "contrary to Caldera's unsupported assertions, IBM has not misappropriated any trade secrets; it has not engaged in unfair competition; it has not interfered with Caldera's contracts; and it has not breached contractual obligations to Caldera.

"In any event, IBM has the irrevocable, fully paid-up, and perpetual right to use the 'proprietary software' that it is alleged to have misappropriated or misused," the company's filing states.

Possible Lawsuits

SCO's charge that the Linux kernel contains exact copies of Unix code is expected to be greeted unenthusiastically in the Linux community. It casts doubt on the legitimacy of the open-source OS.

Asked whether other vendors that sell both Unix and Linux might be in danger of a lawsuit, SCOSource senior vice president Chris Sontag replied, "Is there a possibility? Yes." But "we believe the majority of our licensees are appropriately upholding their licenses, so we don't believe that's a problem," he told NewsFactor.

Effect on Linux

"If this lawsuit drags on, and it gets nasty, then it's definitely going to affect what happens with Linux," said Aberdeen Group analyst Bill Claybrook. "People who are interested in building their IT infrastructures around Linux are going to wonder exactly what's going to happen," he told NewsFactor.

"I've talked with IBM about this, and they do a very good job of making sure the code they release from open source is not proprietary -- is not third party," Claybrook said. He would be "very surprised" if IBM had released Unix code into Linux, he added.
(continued...)

2. Windows Sma Yahoo!
3. Google Adds
4. Nokia Upgrad
5. Sony Readies

1 | 2 | Next Page >

Have an informed opinion on this story? Send a Letter to the Editor.

We want to know wha Send us your Feedbac

Sponsored Links

A better game plan for managing your PC fleet. intel.com/vpro.

Navigation

**NewsFactor Network**
Home/Top News | Enterprise | Network Security | Data Management | Wireless Tech | Hardw
Microsoft/Windows | Linux/Open Source | Apple/Macintosh | World Wide Web | E-Commerce |
Trends
Business Briefing

**NewsFactor Network Enterprise I.T. Sites**
NewsFactor Technology News | Enterprise Security Today

**NewsFactor Network Enterprise Applications Sites**
BPM Today | CRM Daily

**NewsFactor Business and Innovation Sites**
Sci-Tech Today | NewsFactor Business Report

**NewsFactor Services**
FreeNewsFeed | Free Newsletters | XML RSS

About NewsFactor Network | How To Contact Us | Article Reprints | Careers @ NewsFactor | H

Privacy Policy | Terms of Service

© Copyright 2000-2006 NewsFactor Network. All rights reserved.