



# INTEROPERABILITY



**Workshop in Paris**  
**June 23-24 2009**



## Presentation

*Interoperability is the ability of two or more systems to exchange information between them or to ask services one another. Software interoperability has been at the core of several recent antitrust cases and policy debates, as the European Microsoft antitrust case and the discussion concerning interoperability between Digital Rights Management (DRM) technologies.*

This workshop brings together scholars from various fields of research (including economics, law and technology), operators and policy makers from the US and Europe to examine the issue of “interoperability” at various levels, encompassing a positive analysis of the legal status of APIs, CPs and similar interoperability information, but also a more economically founded analysis of compatibility between different systems in innovation driven markets (with several potential normative implications).

## Project of Workshop

Interoperability is a widely and increasingly used word, but this concept is far from being understood in a unique, consistent way. In fact, there are several kinds of interoperability and several different approaches to its study (e. g. horizontal and vertical interoperability, possibly with different policy implications; but also various “degrees of interoperability”, from a minimum degree of compatibility between systems to complete “plug in replaceability”).

The purpose of the workshop is to explore the legal, economic, and technological dimensions of interoperability.

- to provide complementary legal, economic and technological tools, in order to better understand and analyze interoperability;
- to show how interoperability policies are crucial both for commercial and open source software developers, focusing also on the economics of interoperability;
- to focus on the relationship between interoperability and competition policy: the recent decision of the European Court of First Instance in the Microsoft antitrust case provides a stimulating discussion case. Should we mandate interoperability? Are the approaches on the two sides of the Atlantic significantly different? (And what is the “optimal” role of regulators? Should they be proactive or take primarily into account the trends of the market? And, in the latter case, how should they act once a proprietary approach has become a de facto standard?)

### Federico Morando

International Journal of Communication Law & Policy  
Politecnico di Torino



### Pierre-Jean Benghozi

PREG-Ecole polytechnique CNRS  
ENSTA



## INTEROPERABILITY

Workshop in Paris  
June 23 2009

Session

Keynote speakers

Title of intervention

### Session 1 The Interoperability Debate: A matter of Infrastructure, Technology, Engineering, Content and Services.

14:00

#### Keynote Lecture

**Urs Gasser**

Law Executive Director, Berkman Center et St Gallen

14:30

**Mario Carugi**

Vice president ITU, Senior Adviser Nortel

15:00

**Nicolo Zingales**

Berkely University, Bocconi University

15:30

**Jean-Pierre Temime (to be confirmed)**

Adjoint Chief Technology Officer Orange

16:00

#### Coffee Break

### Session 2 Economic and Business Strategies

16:30

**Mikko Valimaki**

Professor, Helsinki University of Technology

17:00

**Bruno Jullien**

Research Director, CNRS

17:30

**Phillippe Baumard**

PREG-CRG

## INTEROPERABILITY

### Workshop in Paris June 24 2009

Time                      Session                      Key note speakers                      Title of intervention

#### Session 3 Legal Concerns: Protection of Interfaces and Standards The Microsoft Case

9:30	<b>Opening Lecture</b>	<b>Cecilio Madero-Villarejo</b> Director DG Competition European Commission	
10:15		<b>Carlo Piana</b> Lawyer, Microsoft Case	
10:45		<b>Mark Lange (to be confirmed)</b> Senior Officer Microsoft	
11:15			
11:45			
12:30	<b>Lunch</b>		

#### Session 4 Interoperability, Open Innovation and Policy

14:00	<b>Keynote Lecture</b>	<b>Laura DeNardis</b> Yale Information Society Project	
14:45		<b>Colin Maclay</b> Managing Director, Berkman Center	
16:30	<b>Concluding remarks</b>	<b>Edward Steinmüller</b> Professor, University of Sussex	

17:00 End of Workshop

## About Innovation & Regulation Chair of Digital Services

### **Purpose of the Chair**

Ecole Polytechnique, Telecom ParisTech and France Telecom decided to create a Chair on "Innovation and Regulation of digital services". This Chair contributes to the development and the animation of a theoretical work of reference. Together, they intend to develop competences and research in this matter, to understand and analyze its bases in economic theory.

Ecole Polytechnique and Telecom ParisTech, which deliver education of excellence for high level engineers and scientists, hold a recognized expertise in the field of the digital economy. France Telecom Group wishing to increase its collaboration with higher educational and research institutions intends to take part in the developments of research and education on this topic of general interest.

### **The Chair IRSN intends to develop the following themes :**

- The creation, production, development and consumption of immaterial services and of the sector of information technologies and communication,
- The dynamics of innovation, principles and tools of regulation and their economic effects on medium and long terms. On these topics, the Chair will have also vocation to propose suitable training for experts and professionals confronted with the questions of economy and regulation of the digital economy. In particular, the Chair will support a course of Master.

### **The objectives of animation of research pursued by the Chair are carried out via:**

- The organization and the coordination of seminars based on interdisciplinary exchanges,
- The reception of high level visiting professors and researchers,
- The reception of PHD and post-PHD chosen among the best candidates at the international level,
- The production of work of synthesis, state of the art or prospective.

### **The education and research programme will address the following topics of work:**

- To understand and anticipate the demand evolutions.
- To understand and anticipate the reorganizations of value chains issued from the digitization of the information and communication services.
- To analyze the modes of regulation of the markets in renewal, to anticipate and evaluate the modes of regulation which could prevail in the medium and long term.
- To evaluate the modes of institutional monitoring

## About International Journal of Communications Law & Policy

### **International Journal of Communications Law and Policy (IJCLP)**

Founded by an international team from the Universities of Münster, Oxford, Warwick and Yale and edited by legal scholars from the Universities of Yale, Milan, Singapore, Münster and the European University Institute, Florence, the IJCLP is an electronic journal devoted to the changing law, policy and technology of media regulation around the world.

As a result of technological convergence, the IJCLP understands “communication” to include the content and carriage of traditional broadcasting and cable as well as Internet and telecommunications.

The IJCLP is an open-access online journal which promotes the free dissemination of legal information and knowledge. The Journal welcomes the submission of intellectually rigorous and challenging articles, working papers and editorials in its areas of inquiry. Contributions published by the IJCLP undergo a rigorous reviewing process and conform to the highest academic standards.

### **The International Journal of Communications Law & Policy is a joint project involving:**

- The Administrative Law Department of the Institute for Information, Telecommunications and Media Law (ITM) at the University of Münster, Germany
- The Information Society Project at Yale Law School, U.S.A.

## Contact

### Inscription to the workshop in Paris June 23-24

Please send name and e-mail address to:

[Patricia.brifaut@polytechnique.edu](mailto:Patricia.brifaut@polytechnique.edu)

Innovation & Regulation Of Digital Services Chair

**Pierre-Jean Benghozi**

Executive Director of Innovation and Regulation Chair of Digital Services  
[Pierre-jean.benghozi@polytechnique.edu](mailto:Pierre-jean.benghozi@polytechnique.edu)

[www.innovation-regulation.eu](http://www.innovation-regulation.eu)

International Journal Of Communications Law & Policy

**Federico Morando**

Associate editor of the International Journal of Communication Law & Policy  
[federico.morando@polito.it](mailto:federico.morando@polito.it)

[www.ijclp.net](http://www.ijclp.net)