

Software patents

by **Richard Corbett MEP**

The so-called 'software patents directive' is currently at the legislative stage in the European Union.

This issue is far from settled as there is a considerable difference of views between the European Parliament's first reading position and the position reached in the Council. The Council's position has just been formally adopted, but with growing reticence among some national governments.

The text can only become law if it is approved in identical terms by both the Council (national ministers from each country) and the European Parliament, with up to three readings in each institution.

My position is as follows:

- I am not in favour of patenting of software as in the US.
- Europe needs a uniform legal approach to stop the drift towards extending patentability to areas which would not have been traditionally allowed, and to stop patentability of pure business methods, algorithms or mathematical methods.
- Software products as such must not be patented.
- Opensource software must be allowed to flourish and this Directive must not have adverse effects on opensource software and small software developers.
- Patents and the threat of litigation must not be used as an anti-competitive weapon to squeeze out small companies.