

Open Source Contribution Agreement (India)

Agreement governing employee contributions to external open-source projects using Company code

HOW TO USE THIS TEMPLATE

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| 1. | This document: Open Source Contribution Agreement (India). |
| 2. | Fill all bracketed fields before use. |
| 3. | Template only — not a substitute for qualified legal advice. |

1. WHY APPROVAL IS REQUIRED

The Stakes. Contributing Company code to an open-source project is permanent and irrevocable. Once contributed, the code is available to the world — including competitors. For copyleft licences (GPL, AGPL), the contribution must be distributed under the same licence, which may trigger obligations on associated Company code.

Scenarios Requiring Approval. Approval required before: contributing bug fixes, feature additions, or documentation to any external open-source project if the contribution contains or is derived from Company code; forking an open-source project and publishing; contributing as part of a conference presentation or research paper; and contributions during work hours or using Company equipment.

Personal vs Company Contributions. Contributions from personal accounts, outside work hours, using no Company resources, to projects unrelated to Company work, are personal. These are not covered by this agreement — though employees must not share Company confidential information. All other contributions require this agreement.

2. APPROVAL PROCESS

Step 1 — Identify the contribution. Is the code the Company's property? Does it contain confidential information, trade secrets, or proprietary algorithms? Does it relate to core technology?

Step 2 — Submit for approval. Developer submits to IP Manager: the specific code being contributed; the open-source project name and URL; the project's licence; whether the project requires a Contributor Licence Agreement (CLA); and the rationale for contributing.

Step 3 — IP Manager Review (5 working days). Does the contribution include trade secrets or strategic code that should not be open-sourced?; Does the project licence (especially copyleft) create obligations on associated Company code?; Does the project's CLA require company execution?

Step 4 — Execute this agreement if approved. If a CLA is required by the project, the Company (not the individual) must sign it.

3. LICENCE OBLIGATIONS BY PROJECT TYPE

Permissive Licence (MIT, Apache 2.0, BSD): Generally low risk. Contribution available to all under permissive licence. Attribution requirements must be maintained. Approved by default for non-strategic code.

LGPL Contributions: Medium risk. Modifications to LGPL files must be LGPL-licensed. Separate independently compiled modules may be acceptable. Assess whether the contribution modifies core LGPL code.

GPL and AGPL Contributions: High risk. All contributions must be GPL or AGPL-licensed. Competitors receive the contribution. Approved only after careful IP Manager review confirming no strategically sensitive code.

Apache 2.0 Patent Non-Assertion Note. Apache 2.0 includes a patent non-assertion clause: contributors grant all downstream users a patent licence covering their contributions. If the Company holds a patent covering contributed code, it cannot later assert that patent against users. The IP Manager must review all patent implications before approving Apache 2.0 contributions.

4. RECORD KEEPING AND DOWNSTREAM MONITORING

Record Keeping. IP Manager maintains a log of all approved contributions: project name; contribution description; date; developer; licence; and CLA reference. This log is reviewed in the annual IP audit and disclosed in the OSBOM.

After the Contribution. Monitor for: competitors using the contributed code in concerning ways; the community's development direction affecting the Company's product strategy; and attribution requirements that need honouring in Company products.

Annual Review. Annually review all contributions made in the past year against current IP strategy. Contributions that appeared strategically acceptable at the time may become more sensitive as the Company's product direction evolves. Document this review and any resulting policy updates.

Execution. Employee signature: _____ Date: _____ IP
Manager approval: _____ Date: _____

IMPORTANT NOTE

Working template for Open Source Contribution Agreement (India). Verify requirements with a qualified IP advocate.

OPEN SOURCE STRATEGY AND CONTRIBUTION AS COMPETITIVE ADVANTAGE

Some of the world's most successful technology companies have built strategic competitive advantages through thoughtful open-source contribution. Understanding when and how to contribute to open source — rather than only how to prevent unauthorised contributions — is an important dimension of mature IP strategy. Strategic open-source contribution rationale: (1) Talent attraction — contributing to

well-known open-source projects signals technical excellence and community participation, which attracts strong engineering talent. Engineers who see the company actively contributing to the ecosystem view it as a technically serious employer. (2) Community building — creating or significantly contributing to open-source projects in your technology area builds a developer community around your pro

duct's ecosystem. This community becomes a channel for adoption, feedback, and evangelism. (3) Standard-setting — contributing reference implementations of technologies your product depends on can influence the direction of those technologies in ways that favour your product's design decisions. (4) Reducing duplicated effort — contributing bug fixes and improvements to upstream dependencies preven

ts the company from having to maintain private forks indefinitely. Maintaining a private fork of a popular open-source project is expensive — every upstream update must be manually merged into the private fork. The contribution approval process should not only prevent harmful contributions — it should also proactively identify contributions that serve the company's strategic interests. The IP Mana

ger should work with the CTO to develop a contribution strategy: which projects should the company actively contribute to?; what types of contributions are encouraged?; are there projects where the company should consider more significant involvement (core maintainer role, governance participation, or foundation membership)? The OSSBOM and contribution log together form the company's open-source p

rogramme record — a key artefact in due diligence and in establishing the company's technical credibility with investors and partners.

ADDITIONAL COMPLIANCE GUIDANCE AND BEST PRACTICES

ADDITIONAL GUIDANCE ON COMPLIANCE AND BEST PRACTICES. Indian IP law continues to evolve rapidly, with the Patent Office, Trade Marks Registry, and Copyright Office all implementing digital transformation initiatives that affect how IP is filed, prosecuted, and enforced. The Patents Amendment Rules 2024 introduced new provisions for startup fee concessions and updated the examination procedure timelines. The Trade Marks Act 1999 has been interpreted by courts in a growing body of decisions that clarify how confusion is assessed, how well-known

marks are recognised, and how bad faith is established. The DPDP Act 2023 has implications for IP-linked customer data and product development processes. For each IP action described in this document, the Company should consult a qualified IP advocate licensed to practice before the Indian Patent Office and Trade Marks Registry. IP advocates combine technical expertise with legal training specific to Indian IP law. When selecting an IP advocate, assess: their specific experience in your technology sector or product category;

their track record at the relevant Patent Office branch or Trade Marks Registry; and their ability to coordinate international filings through their network of foreign associates. The IP Manager should maintain a master calendar tracking all IP filing deadlines, prosecution response deadlines, renewal dates, and opposition window close dates. IP deadlines are typically non-extendable and missing them can result in permanent loss of rights. Use a dedicated IP management tool or a carefully maintained calendar system with triple-reminder alerts. Document

all IP decisions and the reasoning behind them. When the Company decides not to file a patent application for a particular technology, document the decision and reasoning. When a trademark opposition is decided not to pursue, document the decision. This decision trail is important for investor due diligence, management continuity, and defence of subsequent IP disputes. Build a quarterly IP Committee meeting cadence: the IP Manager, CTO or Head of Product, CFO, and CEO should review IP programme status, upcoming

decisions, and strategic IP priorities every quarter. This keeps IP on the leadership agenda and ensures that commercial and technical strategy is aligned with IP investment decisions. The IP Committee meeting should produce a brief written record of decisions taken and actions assigned. International IP coordination requires proactive management of priority deadlines. The Paris Convention priority period of 12 months for patents and 6 months for trademarks and designs starts from the Indian filing date. If international protection is planned,

calendar these priority deadlines immediately on the Indian filing date. The cost of filing internationally increases significantly if priority is not claimed because prior art in the intervening period may destroy novelty. Budget for professional indemnity insurance for the IP function. As IP becomes a larger component of the Company's value and IP decisions involve significant financial stakes, the IP Manager and the Company's IP counsel should be appropriately insured against errors and omissions. Review the IP programme's documentation quality

annually. The best IP strategy is undermined by poor documentation. Every IP right should have a complete file: the registration or application document, all prosecution history, all renewal receipts, and all related agreements. Files should be backed up in at least two locations and access-controlled to prevent inadvertent deletion. Template only. Not legal advice. Consult a qualified IP advocate for all decisions affecting the Company's intellectual property rights.