

DYLAN TWENEY GEAR 06.24.08 09:00 PM

BY OPEN SOURCING SYMBIAN, NOKIA KICKS OFF THE MOBILE AGE

EXHIBIT

1045

THE MOBILE SOFTWARE age is here.

Symbian co-founder Nokia announced Monday night that it is buying the 52 percent of the software maker that it doesn't already own and releasing its mobile operating system under an open source license.

With that move, Symbian joins two other major platforms – the Google-backed Android operating system and Apple's OS X iPhone – that give programmers tools for creating and deploying software for smartphones.

The Symbian OS dominates the world market, with about 60 percent of the installed base among smartphones. According to Nokia, more than 200 million phones currently in use worldwide are running Symbian software. But Symbian trails in the United States, where Research in Motion, Palm, Windows Mobile – and now the iPhone – are the major players.



TWITTER - EXHIBIT 1045 TWITTER v. YOUTOO IPR2017-01133 Nokia uses Symbian software across its range of mobile devices, primarily with the extremely popular S60 interface. Other handset companies also use some variety of the Symbian operating system, including Sony Ericsson, Motorola and NTT DoCoMo.

"Nokia could, if they found inside the corporation the resolve to do so, come out with the definitive open platform," said Bruce Perens, an open source advocate and CEO of Kiloboot. "They would have a platform of the type we haven't seen since the original Palm. When that was dominant, there were 16,000 applications available to install. The question is, can they find the corporate resolve?"

The prospect of thousands of mobile apps – instead of the few dozen typically available through most wireless carriers – is something new in the wireless world. And the 6 million iPhones sold to date show that mobile users like having open, unfettered access to web applications and online content.

In short, what matters to handsets now is not so much features, graphics chips and innovative interfaces — though those do help. What's critical is an easy-to-use development platform that enables programmers to create a wide range of software quickly and easily, so that they can give consumers the content and the software they demand.

Android (whose first handsets are expected later this year) is clearly aimed at that goal. And while it's not open source, Apple has built a complete developer ecosystem around the iPhone, including everything from development tools to a store (which will open next month) for selling finished applications.

That's a significant shift from just a year ago, when programming tools for handsets were specialized and difficult to use, and carriers and handset manufacturers alike kept a tight rein on mobile application deployment.

To support the new open source project, Nokia is establishing the



Symbian Foundation, a collective of hardware and software companies that have pledged to donate code and resources to Symbian's development. Phone makers Motorola and Sony Ericsson are on board, contributing software from their UIQ project, a touchscreen interface for Symbian. Japanese carrier NTT DoCoMo has pledged support and is contributing its Symbian interface, MOAP(S). Other supporters include AT&T, Samsung and Texas Instruments.

"Establishing the foundation is one of the biggest contributions to an open community ever made," said Olli-Pekka Kallasvuo, CEO of Nokia, somewhat hyperbolically. But it is true that Nokia has, at one stroke, created an enormous open-source ecosystem, thanks to the huge number of Symbian phones already in use.

Nokia's move is a defensive one, of course. The Symbian Foundation plan is strikingly similar to Google's plan with the Open Handset Alliance, a collective of industry players who have come together to build and nurture the Android open source mobile operating system. On the carrier side, Google has NTT DoCoMo, Sprint Nextel and T-Mobile on board. On the hardware side, HTC, LG, Motorola and Samsung have signed on to support Android.

Nokia says it is even taking a Google-like approach to rolling out the open source code. It will release components of its code under an open source license at first, with the full OS to follow "over the next two years." Right now, Nokia says, it intends to release Symbian under the Eclipse Public License (EPL) 1.0.

But not everyone is convinced that open source operating systems are the way to go.

"With the success of Apple's and RIM's models, we would have thought traditional handset vendors would develop and maintain similar proprietary OS models," said Tavis McCourt, a Morgan Keegan analyst. "We view this move as a long-term positive for the smartphone vendors that own their own OS (RIM, Apple and, soon,



Palm)."

And it's still too soon to tell which mobile platform will win out. Symbian has the advantage of a large installed base; Android will benefit from the pure innovation seen when developers take a "sky's the limit" approach to building a new OS. And Apple provides a complete, turnkey approach to software sales via its iTunes App Store, which may appeal to consumers.

One thing's for sure: The floodgates are opening, and the coming year will see an explosion of mobile software for a wide range of smartphones.

Additional reporting by Betsy Schiffman.

VIEW COMMENTS



MORE GEAR





DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

