

ECLIPSE.ORG FOUNDATION, INC.

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS

(SEPTEMBER 18, 2013)

A Meeting of the Board of Directors (the “*Board*”) of Eclipse.org Foundation, Inc., a Delaware corporation (the “*Corporation*”), was held on held as a regularly scheduled teleconference at 11am EST.

Present on the teleconference were the following Directors:

Present?	Director	Organization
Y	Chris Aniszczyk	Elected Committer Representative
Y	John Arthorne	Elected Committer Representative
Excused	Jutta Bindewald	SAP AG
N	Paul Clenahan	Actuate Corporation
Y	Christian Dupuis	Elected Sustaining Representative
Y	Pat Huff	IBM
Y	Etienne Juliot	OBEO
Y	Hans Kamutzki	Elected Sustaining Representative
Y	Mik Kersten	Elected Sustaining Representative
N	Jochen Krause	Innoopract GmbH
Y	Dennis Leung	Oracle
Excused	Paul Lipton	CA Technologies
Y	Achim Loerke	BREDEX GmbH
N	Ed Merks	Elected Committer Representative
Excused	Wolfgang Neuhaus	itemis AG
Y	Shawn Pearce	Google Inc.

Present at the invitation of the Board was Mike Milinkovich, Executive Director, and Janet Campbell, Secretary, of Eclipse.org Foundation, Inc.

General Business:

Mike Milinkovich introduced a discussion of the full and abridged minutes of the June Board meeting, copies of which are attached as Exhibit A. The Board unanimously passed the following resolution:

RESOLVED, the full and abridged minutes of the June Board meeting are approved.

Mike Milinkovich highlighted for the Board two resolutions that had recently been unanimously passed via an electronic vote of the Board, reading the following resolutions into the Minutes:

RESOLVED, the Board approves the dual licensing of the Winery Project at Eclipse under the terms of the Eclipse Public License, Version 1.0 and Apache License, Version 2.0.

RESOLVED, the Board approves the dual licensing of the Ponte Project at Eclipse under the terms of the Eclipse Public License, Version 1.0 and Eclipse Distribution License Version 1.0.

IP Advisory Committee:

Mike Milinkovich introduced a motion to appoint Shawn Pearce to the IP Advisory Committee. The following motion was unanimously passed:

RESOLVED, Shawn Pearce is appointed to the IP Advisory Committee.

Policy to “Call Home” and it’s Relation to Privacy

Wayne Beaton introduced a discussion regarding a proposed policy for Eclipse projects that connect to external services, the related slides for which are attached as Exhibit B. Wayne indicated that no firm decisions had yet been made but that the Foundation was looking at a policy that would apply to Eclipse Project Software that was distributed from by Eclipse. Wayne indicated that the two Projects driving the request were M2E and Recommenders. M2E has indicated a desire to understand what version of the software is being used in the wild, together with JDK information. The Recommenders Project would like to collect information on usage patterns.

Wayne added that the Eclipse Privacy Policy would apply and that steps would be taken to ensure compliance with the Policy. Wayne further added that the proposal had not yet received any legal review. Wayne indicated that there were a variety of options under consideration and that there is an expectation that information to be collection would be documented and approved by the Executive Director.

Pat Huff asked what became of the usage data collector. Mike Milinkovich responded that it had been discontinued, as there did not appear to be a lot of value that could be derived from the data collected. Pat Huff asked if the Foundation wasn’t concerned of running afoul of the variety of Privacy Legislations that exist. Mike Milinkovich indicated that that was a concern but that the Foundation was hopeful that if the privacy requirements were examined from a Canadian, US, and EU perspective, that most of the requirements would be met. Pat Huff commented that he

thought there were likely good reasons to pursue some sort of data collection but that pursuing this should be done very carefully, noting that it wasn't just the letter of the law, but the related PR implications that needed to be considered. Mike Milinkovich commented that it would need to be done in a manner that was unobtrusive to the user and that there had to be the ability to easily disable it. A suggestion was made that we could ask individuals to confirm their Agreement to have the information collected and record their personal information as a record of their consent. Janet Campbell indicated that it would be preferable not to collect personally identifiable information in order to avoid running afoul of any applicable Privacy Legislation.

There being no further business to discuss, the meeting was adjourned.

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This being a true and accurate record of the proceedings of this Meeting of the Board of Directors held on September 18, 2013, is attested to and signed by me below.

/s/ Janet Campbell
Secretary of Meeting