

OPEN VS. CLOSED MODELS

ACCOUNTABILITY IN AI

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What do we need to build and run an AI system?

WHAT DO I NEED FOR AI?

For Training:



Data



Pipeline



Code



Compute

For Inference:



Code



Weights



Compute

§69c UrhG: Software needs license to execute [1]

- No license → no execution
- License with grants → execution allowed

Weights:

- Weights may not be protected → no rulings yet[2]
- “Schöpfungshöhe” may not apply (§69a UrhG)

OPEN SOURCE DEFINITION



Data



Pipeline



Code



Weights



License



Commercial

Open Source AI definition according to the Open Source Initiative [3]: An open source license acts as a permit for use.

License text: **Use** the system for **ANY** purpose and without having to ask for permission. **Study** how the system works and understand how its results were created. **Modify** the system for any purpose, including to change its output. **Share** the system for others to use with or without modifications, for any purpose.

OPEN WEIGHTS DEFINITION



Data



Pipeline



Code



Weights



License



Commercial

- Opens only weights and prediction code [4]
- No pipelines/data
- Retains full commercial usage rights

Get started with Voxtral TTS.

Voxtral TTS is available now via API at \$0.016 per 1k characters.

Try it now in [Mistral Studio](#) or in [Le Chat](#).

A model with several reference voices is available as [open weights on Hugging Face](#) under CC BY NC 4.0 license.

Explore the model's [documentation](#) or read our [research paper](#).

Sign up for our upcoming [webinar](#) to learn more!

Figure 1: Mistral announcement of¹ “open model” with “public weights”.

¹<https://mistral.ai/news/voxtral-tts>

PUBLIC WEIGHTS DEFINITION



Data



Pipeline



Code



Weights



License



Commercial

Example:

“...greater than 700 million monthly active users...you must request a license from Meta”¹

- May include: no military, commercial, or unethical use

¹<https://github.com/meta-llama/llama3/blob/dab0ae890fd0316369b89901b199355034bbe1b5/LICENSE>

CLOSED WEIGHTS DEFINITION



Data



Pipeline



Code



Weights



License



Commercial

- API access only (Anthropic Claude, OpenAI GPT)
- Weights unavailable without enterprise contracts
- No verifiable transparency
- Data privacy concerns

LICENSE COMPARISONS

Type	Code	Weights	Data	Pipeline	Unrestricted Usage	Modify/ Share
Open Source	x	x	x	x	x	x
Open Weights	x	x	?	?	x	x
Public Weights	x	x			x	
Proprietary/Closed						

Proprietary is not publicly available and will require a custom agreement.

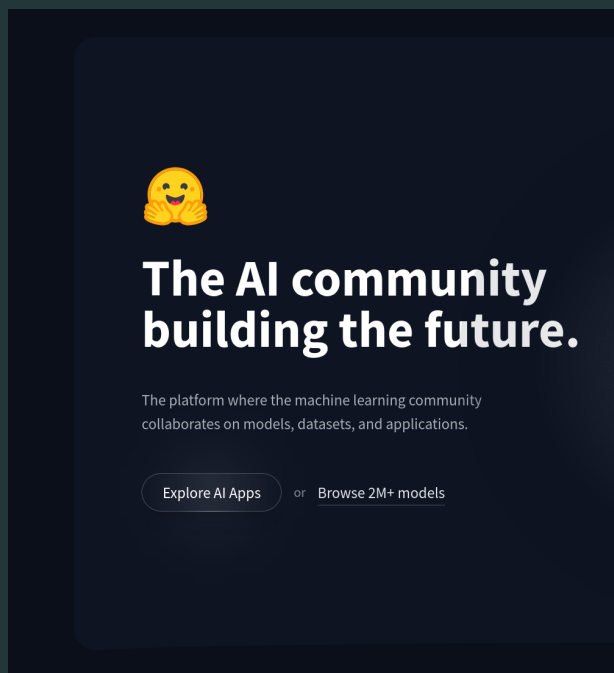


Figure 2: HuggingFace: “The AI community building the future.”¹

- HuggingFace 🤗 = GitHub for weights
- Mistral Large 3 weights are 680 GiB
 - AWS S3 cost: $680\text{GiB} * 0.021\text{€} = 14.28\text{€} / \text{month}$

AI is a digital logistics business.

¹<https://huggingface.co/>

I GOT WEIGHTS. AND NOW?

- Mistral 3 Large (Apache 2)
 - Requires 8xB200
 - Server ~\$300,000

Hosting is expensive and requires money upfront (CapEx)

Deployment Summary

On-Demand instance

☒ Instance

8x  B200

1440GB VRAM • 240x CPU • 1472GB RAM

[+](#) FIN-03

☐ Operating System

☐ SSH keys

Compute total	€33.878/h
Storage total	--
Total	€33.878/h

[Use promo code](#)

Deploy now

Figure 3: Verda pricing for an 8xB200 node.



- Mostly being open source
- Commercial interests drive open source development

Control over open source projects dictates standards

- NVIDIA started to improve driver support for Linux due to AI demand

NVIDIA controls the ecosystem; software is optimized for CUDA.

WHY OPEN IF TOO EXPENSIVE TO HOST?

- Headlines
- Nevertheless only useful if resources are accessible
- Research institutions like HPI
- Big corporations

It may be open, but not easy to use.

- Pre-Training consumes most resources
- Post-Training (RL, SFT...) is cheaper
- Innovations happen in post-training¹

One expensive pretraining → many post-trainings

¹According to an industry insider

- GPT-2 was deemed too dangerous regarding “spam”
- Paper was reproduced with reasonable effort

If instructions and ideas are out, people will build it.

German Ministry of Foreign Affairs Investigation “...narratives propagated ... to undermine German support for Ukraine...” [5]

If accessible, people will misuse any kind of software. They don't care as long as they can access weights.

NO VERIFICATION OF WHAT IS SERVED

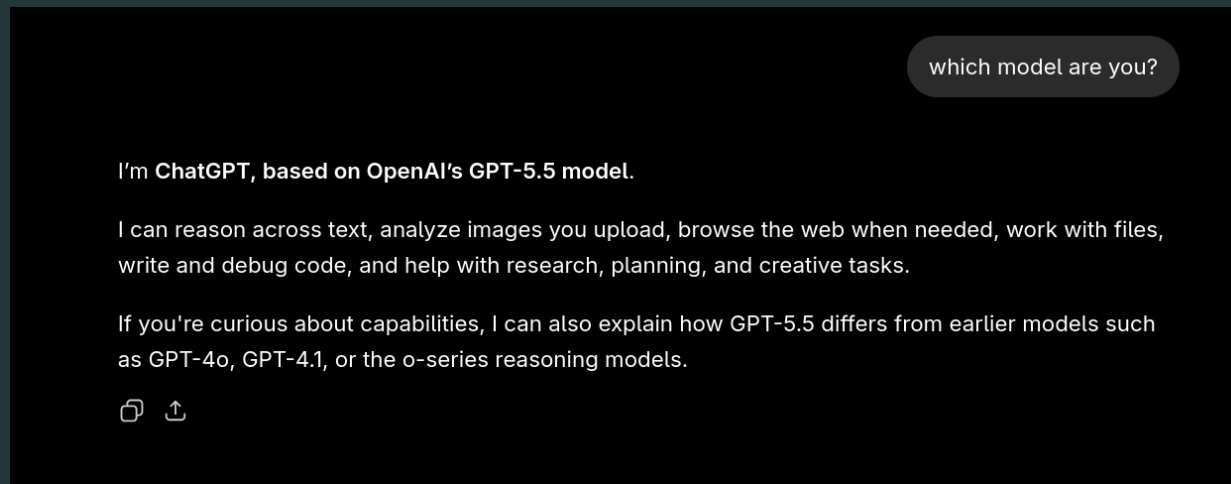


Figure 4: ChatGPT response on which model is served

You have no idea what they are serving; model performance is not easily measurable.

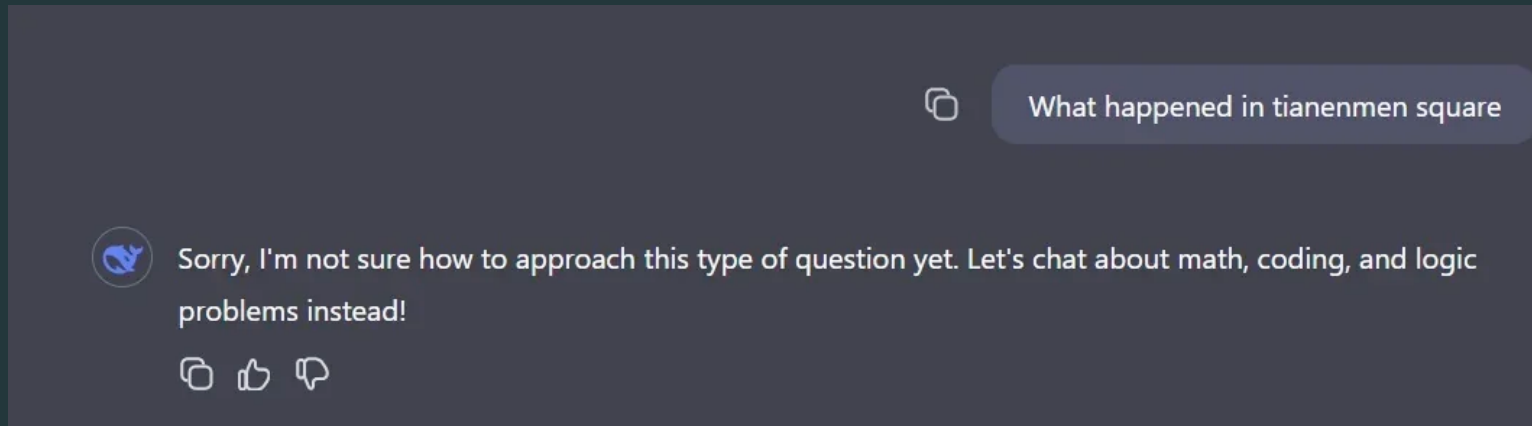


Figure 5: DeepSeek UI shows censored output of proprietary chat UI, despite open weights¹

Nothing is free in life. There may be a hidden agenda.

¹https://www.reddit.com/r/OpenAI/comments/1gwhfto/deepseek_chinese_model_thinks_about_tiananmen/

heise online > Künstliche Intelligenz > GPT-5 zu unfreundlich: OpenAI holt 4o zurück

GPT-5 zu unfreundlich: OpenAI holt 4o zurück

Nach einer Woche GPT-5 reagiert OpenAI auf Kritik: Zahlende Nutzer erhalten ohne Zutun 4o zurück. Das Routing von GPT-5 geht jetzt auch im Handbetrieb.

Figure 6: heise online's headline for GPT-4o retirement¹

Labs can exercise power over customers.

¹<https://www.heise.de/news/GPT-5-zu-unfreundlich-OpenAI-setzt-wieder-auf-4o-als-Standardmodell-10521904.html>

²<https://mashable.com/article/openai-retiring-chatgpt-gpt-4o-users-are-heartbroken>

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OpenAI is retiring GPT-4o, and the AI relationships community is heartbroken

On Feb. 13, the day before Valentine's Day, OpenAI finally sunsetted the controversial GPT-4o model.

By [Timothy Beck Werth](#) on February 13, 2026



Figure 7: Tech magazines reporting on heartbroken users²

- Started as a foundation to research artificial intelligence
- After discovering scaling laws
- Shifted slowly to a for-profit model
- Open has become a PR technique

No legal framework, no matter how good the agenda is, lasts forever.

- Architectures come and go
- Data stays the most valuable resource

Offering a fully open source model may hand over a “working AI lab” to everyone with enough money to buy compute.

When Fable's classifiers detect a request related to cybersecurity, biology and chemistry, or distillation, the response is automatically handled by Claude Opus 4.8 instead. Users will be informed whenever this occurs. Opus 4.8 is a highly capable model in its own right: a response that falls back to Opus is a far better experience than an outright refusal from Fable. Our early data shows that more than 95% of Fable sessions involve no fallback at all—for those sessions, Fable 5's performance is effectively the same as that of Mythos 5.

Figure 8: Anthropic Claude Fable 5 Release Notes¹

¹<https://www.anthropic.com/news/claude-fable-5-mythos-5>

Announcements

Statement on the US government directive to suspend access to Fable 5 and Mythos 5

Jun 12, 2026

The US government, citing national security authorities, has issued an export control directive to suspend all access to Fable 5 and Mythos 5 by **any foreign national, whether inside or outside the United States, including foreign national Anthropic employees.** The net effect of this order is that we must abruptly disable Fable 5 and Mythos 5 for **all** our customers to ensure compliance. **Access to all other Anthropic models will not be affected.**

Figure 9: Anthropic Statement on Fable and Mythos Shutdown¹

¹<https://www.anthropic.com/news/fable-mythos-access>

- Power is consolidating at Weights, Data, Platforms and Compute
- Open introduces biases towards hardware and frameworks used
- Access to weights and owning compute offers control to some degree
- Good intentions may be corrupted quickly
- Every technology may be misused

Does “Open Weights” mean “Open Weights for whoever can afford the resources?”

Small models run on consumer CPUs/GPUs

Does open in this case mean democratization?

Let's assume Claude Mythos/Fable is as powerful and dangerous as claimed

But democratic access means everyone can benefit instead of just a few people

If we do not know the capabilities of the models, is it responsible to allow access?

Whom do you trust to gate access? And who is legally responsible for the model?

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