

Software Licenses

GPL

- GNU Public License
- Software is FREE under GPL
- Free as in “free speech”, not as in “free beer” (i.e., it can still cost money)

Free software

- The freedom to run the program, for any purpose (freedom 0).
- The freedom to study how the program works, and adapt it to your needs (freedom 1). Access to the source code is a precondition for this.
- The freedom to redistribute copies so you can help your neighbor (freedom 2).
- The freedom to improve the program, and release your improvements to the public, so that the whole community benefits (freedom 3). Access to the source code is a precondition for this.

Copyleft

- Copyleft (very simply stated) is the rule that when redistributing the program, you cannot add restrictions to deny other people the central freedoms. This rule does not conflict with the central freedoms; rather it protects them.

Selling “free” software

- Since free software is not a matter of price, a low price isn't more free, or closer to free. So if you are redistributing copies of free software, you might as well charge a substantial fee and *make some money*. Redistributing free software is a good and legitimate activity; if you do it, you might as well make a profit from it.

Selling “free” software

- GNU GPL has no requirements about how much you can charge for distributing a copy of free software. You can charge nothing, a penny, a dollar, or a billion dollars. It's up to you, and the marketplace, so don't complain to us if nobody wants to pay a billion dollars for a copy.

OSS

- Open source software
- The term "open source" software is used by some people to mean more or less the same thing as free software. However, their criteria are somewhat less strict; they have accepted some kinds of license restrictions that we have rejected as unacceptable.

OSS

- OSS is software for which the source code is freely and publicly available, though the specific licensing agreements vary as to what one is allowed to do with that code.

Public domain

- Public domain software is software that is not copyrighted. If the source code is in the public domain, that is a special case of non-copylefted free software, which means that some copies or modified versions may not be free at all.

Public domain

- In some cases, an executable program can be in the public domain but the source code is not available. This is not free software, because free software requires accessibility of source code

Semi-free software

- Semi-free software is software that is not free, but comes with permission for individuals to use, copy, distribute, and modify (including distribution of modified versions) for non-profit purposes. PGP is an example of a semi-free program.

BSD

- Redistribution and use in source and binary forms, with or without modification, are permitted provided that the following conditions are met:
- Redistributions of source code must retain the above copyright notice, this list of conditions and the following disclaimer.
- Redistributions in binary form must reproduce the above copyright notice, this list of conditions and the following disclaimer in the documentation and/or other materials provided with the distribution.
- Neither the name of the organization granting the license nor the names of its contributors may be used to endorse or promote products derived from this software without specific prior written permission.

MIT

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- The above copyright notice and this permission notice shall be included in all copies or substantial portions of the Software.

Other licenses

- Mozilla Public License (MPL)
- Eclipse Public License (EPL)

Links

- <http://www.gnu.org/philosophy/free-sw.html>
- <http://www.opensource.org/licenses/index.php>

How is IP in software protected?

- What intellectual property covers software:
 - Patent: protects an idea itself (algorithms, etc...)
 - Copyright: protects the expression of an idea (implementation)
- Software is usually protected by a copyright
- I will not discuss patents:
 - Very destructive for Open Source
 - Personal opinion: **software patents are evil and should be avoided !!!**

Why need a license?

- We want our software to be widely used
 - We want to include software from other projects
 - Users should be allowed to contribute
 - Contributors should be recognized
 - Authors should be legally protected
 - Include industry partners
-
- For this we need a license
 - What kind of license satisfies our requirements?

Open Source Licenses

- It is believed that an Open Source (OS) license could solve the problem
 - However the OS world is quite complicated
- OS licenses have “owners” of the IPRs (Copyright Holders)
 - If each author retains his/her ownership, the code IPR remains extremely fragmented
 - To avoid this, IPRs can be “transferred” to a common entity

The [GNU General Public License \(GPL\)](#)

The [GNU Library or "Lesser" Public License \(LGPL\)](#)

The [BSD license](#)

The [MIT license](#)

The [Artistic license](#)

The [Mozilla Public License v. 1.0 \(MPL\)](#)

The [Qt Public License \(QPL\)](#)

The [IBM Public License](#)

The [MITRE Collaborative Virtual Workspace License \(CVW License\)](#)

The [Ricoh Source Code Public License](#)

The [Python license](#) (CNRI Python License)

The [Python Software Foundation License](#)

The [zlib/libpng license](#)

The [Apache Software License](#)

The [Vovida Software License v. 1.0](#)

The [Sun Industry Standards Source License \(SISSL\)](#)

The [Intel Open Source License](#)

The [Mozilla Public License 1.1 \(MPL 1.1\)](#)

The [Jabber Open Source License](#)

The [Nokia Open Source License](#)

The [Sleepycat License](#)

The [Nethack General Public License](#)

The [Common Public License](#)

The [Apple Public Source License](#)

The [X.Net License](#)

The [Sun Public License](#)

The [Eiffel Forum License](#)

The [W3C License](#)

The [Motosoto License](#)

The [Open Group Test Suite License](#)

The [Zope Public License](#)

Open Source Facts

- Open Source does not imply Public Domain!
 - Public domain = no one owns the software
- Only the copyright holders can put the software in the public domain
- Copyright holder is usually the employer and not the author
- Open Source licenses can be very different
- The “Open Source Definition” has been defined by the “Open Source Initiative” <http://www.opensource.org/>

Things to consider when writing an OSS license

- Disclaim liability for others use of OSS
- Redistribution
- Source code availability
- Distribution and license of derived works
- Name of derived work
- Access discrimination (persons, fields, countries...)
- Restriction on software which is linked/distributed with OSS
- Profit from derived work
- Etc...

Open Source examples

- MIT/X-Consortium License and BSD license
 - Use and improve without restrictions
 - Release improvement in any way: open or closed
 - Release as a commercial product
- The GNU General Public License (GPL)
 - Improvements must be released under GPL
 - No modifications of license terms with respect to GPL is allowed
 - “Give others the same right you were given”

Berkeley Lab “Open Source” License

- The **Berkeley Lab Open Source License**
 - Originally designed to meet DOE Contract 98 requirements
 - Likely to be revised in light of new DOE Open Source Policy
- Berkeley Lab’s Open Source “Best of Breed” Hybrid
 - Friendly: **Takes a “Revised” BSD-style approach that maximizes freedom for users, companies and research institutions**
 - Easy: **Has “default” grant-back rights for voluntary improvements for easy management of contributions**
 - Flexible: **Does NOT force improvements to be Open Source, meaning industry can work with the community, the code or both!**
 - Responsible: **Requires 3rd parties to mark modified versions as “Modified” (like Mozilla License & GNU GPL)**

Berkeley Lab “Open Source” License

- “Default” voluntary grant-back of rights for improvements:
- Developer has no obligation to contribute improvements
- *“You are under no obligation whatsoever to provide any Enhancements to Berkeley Lab or the public that you may develop over time;”*
- If Developer chooses to contribute, then Developer can:
 - ↓ Choose any license they want for their improvements *“however, if you choose to provide your Enhancements to Berkeley Lab, or if you choose to otherwise publish or distribute your Enhancements, in source code form without contemporaneously requiring end users or Berkeley Lab to enter into a separate written license agreement for such Enhancements,...”*
 - ↓ Or, use the Berkeley Lab “default” license
 - ↓ *“then you hereby grant Berkeley Lab a non-exclusive, royalty-free perpetual license to install, use, modify, prepare derivative works, incorporate into the Software or other computer software, distribute, and sublicense your Enhancements or derivative works thereof, in binary and source code form.”*

Berkeley Lab “Open Source” Policy

- Centralizing Intellectual Property Rights using
- “default” grant-back rights for voluntary improvements:
- Provides “default” solution that is automatic
 - No tracking required for vast majority of contributions
 - “Least restrictive means” - contributors retain ownership
- Maximizes freedom and flexibility
 - Industry friendly! No company is forced to contribute
 - Contributors choose the license terms for their contribution
 - Code Base Manager can reject or accept license terms

Thanks four Your Attention!

*This lecture was adapted from Jeffrey A. Meunier and Anders Waananen
by Werner Wild*