Software Licensing is like Programming

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What shall we do with a software license?

What shall we do with a software license?

Everybody sing!

- Violate it daily till Harald stops us

- Pretend it isn't there and go our own way

- Ship it and then hope that no one spots it

- Engage with the upstream and send patches

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Who is this guy?

- Long time Free Software contributor

- Software Quality researcher

- Freedom Task Force coordinator

- Father of two

What is the FSFE?

- Free Software Foundation Europe
  - ... Europe

- Policy work at EU level

- Freedom Task Force
  - ... IANAL

What is the FTF?

- Services for Free Software projects

- Legal administrative support for Free Software projects

- Services to business

- Knowledge development

- European Legal Network

- Supports the IFOSSLR

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Licensing

Licensing is a lot like programming

- It's fun!

- Bugs happen

- It's infuriating to debug

- Folks just want things to be fixed

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Is it a problem?

It's 2009.
Surely compliance is
no longer an issue?

Is it a problem?

```
@@ -98,7 +98,6 @@
  vegas->baseRTT = 0x7fffffff;
  vegas_enable(sk);
 }
-EXPORT_SYMBOL_GPL(tcp_vegas_init);
+EXPORT_SYMBOL(tcp_vegas_init);

 /* Do RTT sampling needed for Vegas.
  * Basically we:
```

Licensing is a lot like programming

```
class License {
protected:
  License(std::string name);
public:
  typedef enum {
    Use, Study, Modify,
    Distribute, Patent } Roles;
  virtual bool allows(Role r) const;
  bool isFree() const { return allows(Use) && allows(Study) && allows(M
} ;
```

```cpp
class GPL : public License {
public:
  GPL() : License("GPLv2") {}
  virtual bool allows(Role r) const {
    return r != Patent;
  }
} ;
```

```cpp
class MyProgram : public GPL, public MPL {
public:
  MyProgram() {}
} ;
```

Licensing is a lot like programming

- In the small, it's easy (theoretically).

- In the large, it's hard (practically).

How a License Works

- Computer software is a creative work

- Copyright grants the creator exclusive control

- Some uses are allowed always by law

- All other use governed by license

What a License Does

- Allows certain uses

- States certain requirements

Rights possibly granted by a license

- Grants the right to use

- Grants the right to study

- Grants the right to modify

- Grants the right to distribute

Requirements possibly imposed by a license

- Requires you to retain the copyright notice

- Requires you to optionally send beer to PHK

- Requires you to apply the same license later

- Requires you to send modifications to a central location

- Requires you to grant a patent license

License Compatibility

Programs A and B independent

$$\boxed{\text{A::}L_0} \quad \boxed{\text{B::}L_1}$$

Programs A and B boxed together

$$\boxed{\text{A::}L_0 \quad \text{B::}L_1}$$

What the GPLv2 Does

GPLv2 grants:

- Clause 0: The act of running the Program is not restricted.

- The right to study, implicitly.

- Clause 2: You may modify your copy or copies of the Program or any portion of it.

- Clause 1: You may copy and distribute verbatim copies. Clause 2: ... and copy and distribute such modifications. Clause 3: You may copy and distribute the Program in object code

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GPLv2 requires:

- Nothing for use

- Nothing for study

- Notification of modification
  Clause 2a-c: You must cause the modified files to carry prominent notices ...

- Continuation of license for source distribution
  Clause 2b: You must cause any work that you distribute ... under the terms of this License.

- Source code offer for binary distribution
  Clause 3a-c: Accompany it with the complete corresponding machine-readable source code.

6. Each time you redistribute the Program (or any work based on the Program), the recipient automatically receives a license from the original licensor to copy, distribute or modify the Program subject to these terms and conditions. You may not impose any further restrictions on the recipients' exercise of the rights granted herein. You are not responsible for enforcing compliance by third parties to this License.

What the GPLv2 Doesn't Do

- Clause 5: You are not required to accept this License, since you have not signed it.

- Trailer: This General Public License does not permit incorporating your program into proprietary programs.

"GPLv2 Unsound"

- Truly awful reporting

- The real headline is "some parts of te GPLv2, especially regarding derivative works, are ambiguous and might be interpreted weakly in court, but this has never been tested."
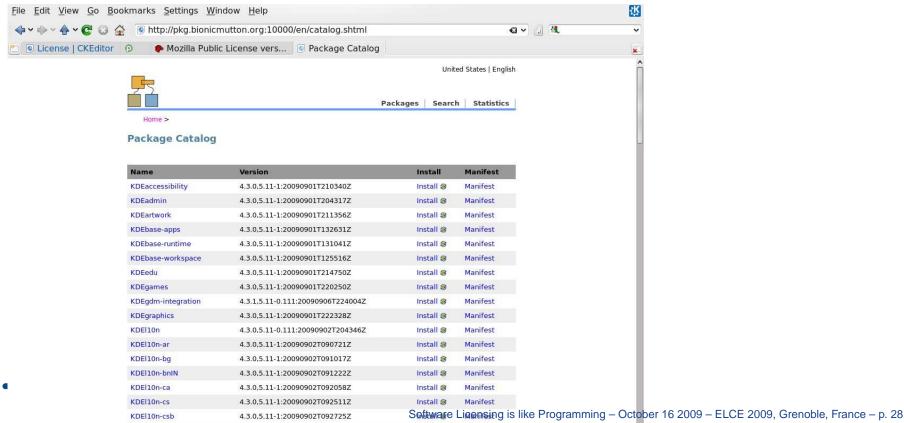
Licensing is a lot like programming

Individual statements taken together have a collective effect; each individual statement has subtleties.

Let's engage in licentious behaviour!

Violating the GPLv2

Returning to compliance is not difficult

- But you do have to do some work

- You do have to do it quick

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Looking for violations

http://www.loohuis-consulting.nl/downloads/compliance-manual.pdf

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... and to ask questions?

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