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Details of FLOSS Licenses

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**for "FOSS Bridge EU-Vietnam - Joint Business through Free and Open
Source Software", InWEnt**

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Reference number of training material: [TRM1702400700].

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What we'll learn now...

- Study FLOSS licenses in details
- Consider issues about compatibility between licenses
- Discover free documentation licenses

GNU General Public License 2

- Reach: strong copyleft
 - reciprocity covers container/derivative works
- Sublicense:
 - no sublicense; license granted from original author upon each distribution
- Patent Grant:
 - no explicit patent grant, but license implies one
- Retaliation:
 - no distribution unless everyone can distribute
royalty free

GNU Lesser General Public License 2.1

- Reach: copyleft
 - covers containers/derivative works, only restricts (does not require reciprocity of) licenses
- Sublicense:
 - same as GPL
- Patent Grant:
 - same as GPL
- Retaliation:
 - same as GPL

Common Public License 1.0

Eclipse Public License 1.0

- **Reach: copyleft**
 - reciprocity does not apply to modules distributed with the software which are not derivative works of the software
- **Sublicense:**
 - may relicense object code if license includes notices and disclaimers
- **Patent Grant:**
 - explicit grant for contribution and combination
- **Retaliation: revocable non assertion**
 - (in CPL only) patent litigation against a contributor with respect to a patent applicable to software - then any patent licenses granted by that contributor to the recipient shall terminate
 - patent litigation against any entity alleging that the program itself infringes the recipient's patent(s): then such Recipient's rights granted by the license shall terminate

Apache License 2.0

- Reach: academic
 - not reciprocal
- Sublicense:
 - may provide additional or different license terms and conditions of modifications
- Patent Grant:
 - explicit grant for contribution and combination
- Retaliation:
 - very similar to EPL

Mozilla Public License 1.1

- Reach:
 - file-based reciprocity
- Sublicense:
 - redistribute executable under own terms
- Patent Grant:
 - explicit patent grant for “contributor version”
- Retaliation:
 - lose contributor’s patent & copyright grants if assert claim against contributor for work
 - lose contributor’s patent grants if assert patent claim against any “software, hardware, or device”

New BSD

- Reach: academic
 - not reciprocal
- Sublicense:
 - no mention of sublicense, but often assumed
- Patent Grant:
 - no patent grant, just the word “use”
- Retaliation:
 - none

- Reach: academic
 - same as BSD
- Sublicense:
 - sublicensing is explicit, relicensing implicit
- Patent Grant:
 - not explicit terms
- Retaliation:
 - same as BSD

European Union Public License

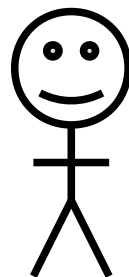
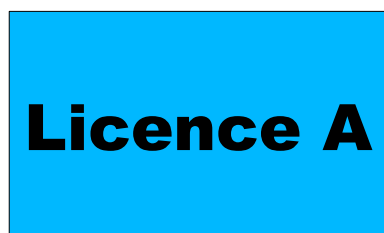
- Proposed by IDABC, January 2007, approved by the European Commission
- Compliant with laws of all EU countries
- Versions in the 23 official languages of the EU (January 2008) of same legal value
- Copylefted, CPL-, EPL-, GPL-, OSL-, CeCILL-compatible
- Currently being reviewed by the OSI

Patent Provisions in FLOSS Licenses

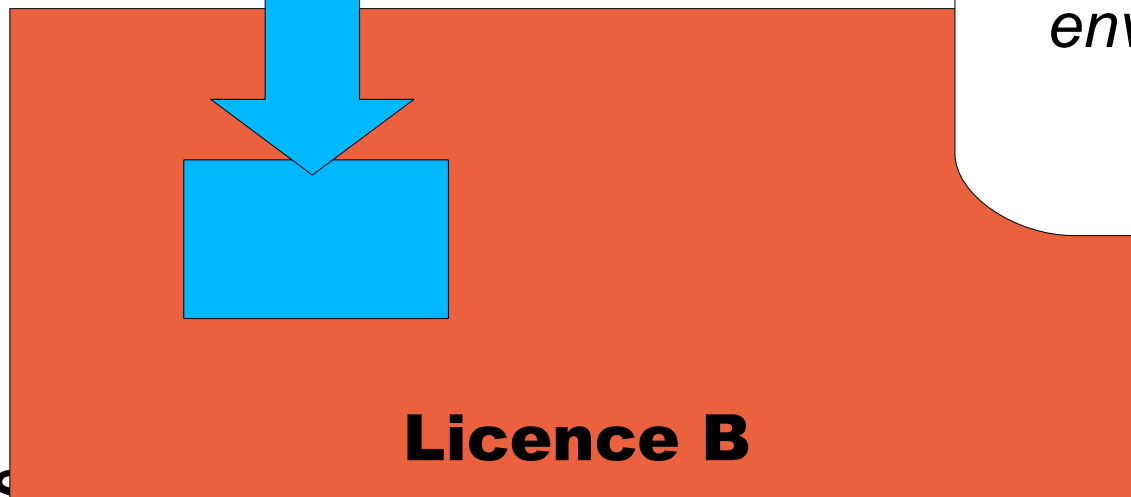
- Reminder: software is patentable in some countries (USA)
- Main classes of patent provisions in FLOSS licenses
 - None (e.g. New BSD, MIT)
 - Revocable non assertion (e.g. MPL, CPL, EPL, CDDL)
 - Perpetual, worldwide, non-exclusive, no-charge, royalty-free, irrevocable (e.g. Apache Licence 2.0)
 - Restrictions on distribution in case of possible patent infringement (e.g. *GPL)
- Remark: grant of patent licenses by the initial developer or contributors does not guarantee that users may not infringe on any patent claim from any third party in any country

Licence (In)Compatibilities (1/5)

Inclusion of software



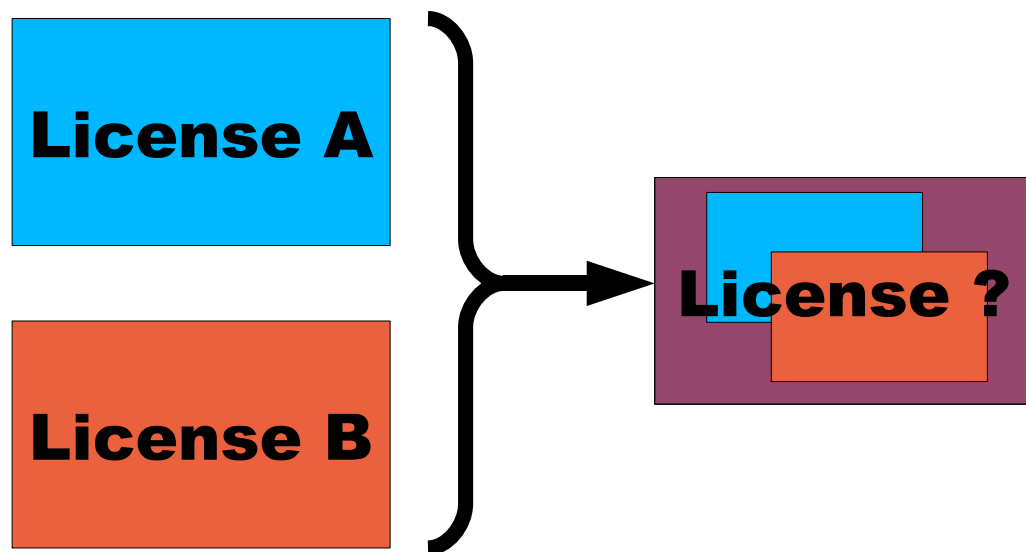
May I take a project under license A and install/run it in an environment under license B?



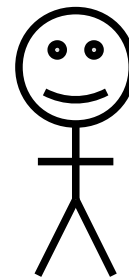
Matters for the end users of FOSS

Licence (In)Compatibilities (2/5)

Combination of software under different licenses



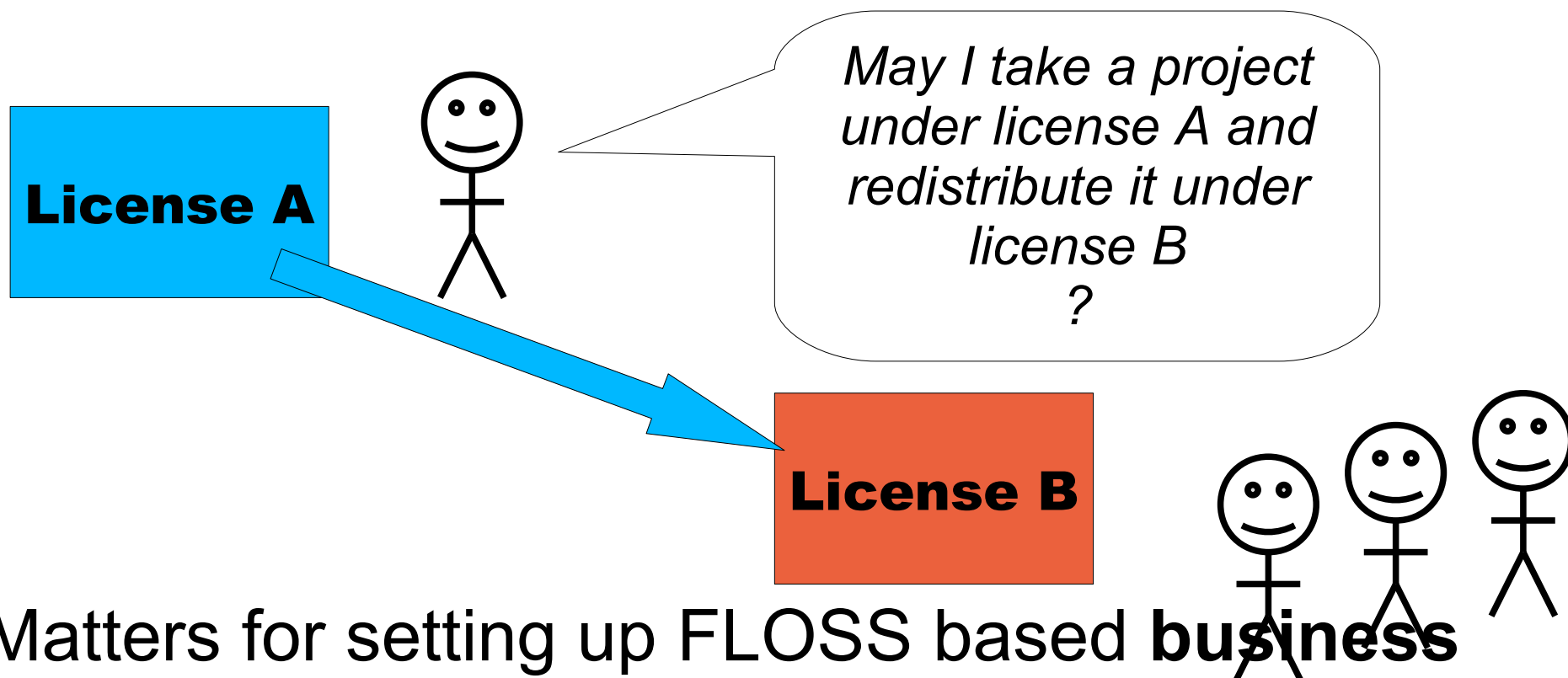
What's the license if I combine A and B and I distribute the combination ?



Matters for the FLOSS development process

Licence (In)Compatibilities (3/5)

Change of license for redistribution

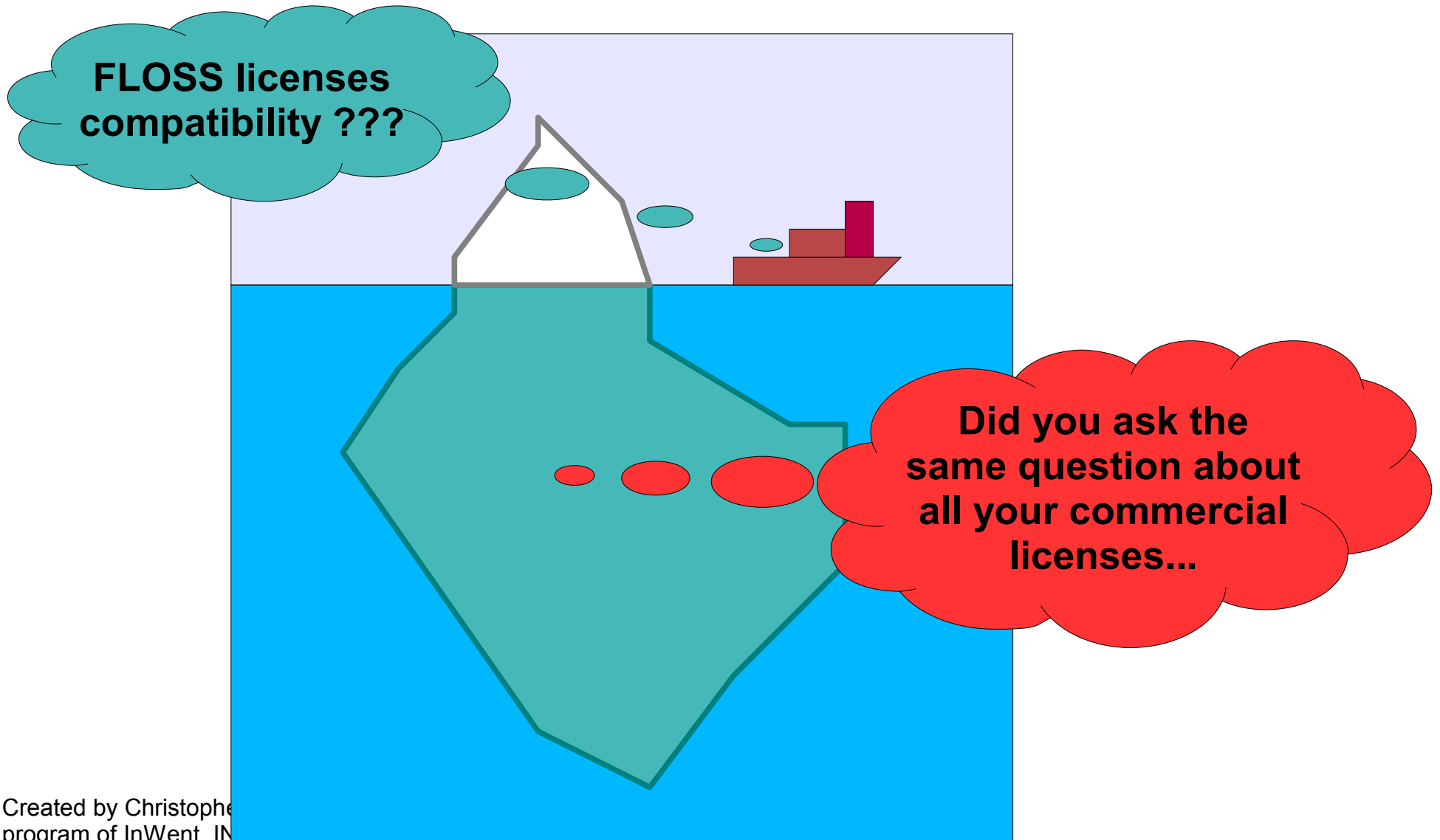


Licence (In)Compatibilities (4/5)

- No simple answer – **case by case**
 - Detailed, legal analysis of licenses
 - Countries, applicable law
 - Parties involved (legal/physical, etc)

CONTRIBUTION		DERIVATIVE WORK				
		GPL	MPL	CPL	OSL	Academic
	BSD	yes	no ¹	no ²	yes	yes ³
	MIT	yes	no ¹	no ²	yes	yes ³
	Apache	yes ⁴	no ¹	no ²	yes	yes ³
	AFL	yes ⁴	no ¹	no ²	yes	yes ³

Licence (In)Compatibilities (5/5)



Documentation Licenses (1/3)

- Documentation for conception is usually licensed with software
- Other kinds of documentation:
 - Books, whitepapers, manuals, wikis, web sites, slideshows, artwork, multimedia content...
 - Protected under copyright law
 - Usually not licensed with software

Documentation Licenses (2/3)

- GNU Free Documentation License (GFDL)
 - Created by the FSF
 - Equivalent of a GPL for non-software works
 - Copylefted
 - Notion of « transparent copy » (= source code) and « opaque copy » (= executable code)

Documentation Licenses (3/3)

- Creative Commons (CC)
 - Creator: Lawrence Lessig
 - Roster of licenses crafted by lawyers to fit:
 - Various countries / languages
 - From « all rights reserved » to « some rights reserved »
 - Owner decides on the rights and language – and gets the matching legal text for the license

Recap

- Wide spectrum of license terms, from strong copyleft to very permissive « academic » licenses
- License compatibility issues appear when using, developing and making business on FLOSS - but also with commercial software
- FLOSS principles have been ported to documentation licenses too

About:

"FOSS Bridge EU-Vietnam - Joint Business through Free and Open Source Software" is an ASIA-Invest programme implemented by InWEnt - Capacity Building International of Germany, Institut National de Recherche en Informatique et en Automatique (INRIA) of France and the Institute of Information Technology of Vietnam (IOIT) with financial support by the European Commission and the German Federal Ministry of Economic Development and Cooperation (BMZ).

For further information please visit the following websites: <http://www.foss-bridge.org>.



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