OSS Licensing

Tool to Build Community

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Overview

Open Source License Overview

- Hundreds of accepted open source licenses

- Varying terms and conditions for different purposes

- Two general classes – Permissive or Copyleft

- Copyleft – Requires that the same license applies to derivative works
  - Examples – GNU Public License, Lesser GNU Public License, Affero GNU Public License

- Permissive – Generally put few restrictions on use
  - Examples – MIT License, BSD 3 clause License

- Mixed – Elements of both or additional terms
  - Examples – Apache License, Eclipse License

- License needs to be aligned with the philosophy and goals of the community

- Choosealicense.com

MIT License

Key Features

- **Very simple**
- **Few restrictions**
- **Simple attribution**
  - Does it include binaries?
- **No Warranty**

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Key Features

- **Also simple**
- **Clearer distribution rights**
- **Attribution – non endorsement**
- **Warranty**

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Key Features

- More rigorous
- More specific copyright grant
- Includes patent grant
- Includes specific grants from contributors back to Licensor
- No trademark use
- More business friendly warranty and liability

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GNU Public License 3.0

Key Features

- **Freedom of recipients of software**
- **Key aspects related to distribution**
  - Must pass on under same license
- **What is a modification?**
- **Broad patent license**
- **Termination for violation**

- ## Select Clauses

  - To "modify" a work means to copy from or adapt all or part of the work in a fashion requiring copyright permission, other than the making of an exact copy. The resulting work is called a "modified version" of the earlier work or a work "based on" the earlier work.

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Mixing Licenses

- License choice has implications how software can be used

- License terms can conflict

- Precedence matters
  - Include MIT licensed software in a project licensed under GPL ✓

  - Include GPL licensed software in a project licensed under MIT 🚫

- Apache 2.0 License and GPL Licenses
  - Apache 2.0 not compatible with GPL v2
    - Patent grant and Indemnification of contributors viewed as conflicting
  - Apache 2.0 can be included in a project licensed under GPL v3

- License terms will flow to subsequent users

Impact of License on Community

- Community Members
  - Maintainer/Committer/Developer
  - Contributors
  - Users
    - Individual
    - Business
  - Supporters

- License used has different implications for different classes of community members
  - Contributors & Developers – have to agree their contribution will support license terms
    - Patent grant
    - Contributor indemnification
  - Business Users – How does the license impact the business
    - GPL requirements can spread to proprietary code of business
    - Patent grants in some licenses reduce business risk

Accepting Contributions

- Why have contributor agreements?
    - Does the contributor have the right to contribute? – Copyright ownership
        - Contributor didn't have rights to contribute and actual copyright owner asks for code to be removed

    - What happens if the project changes its license?
        - Goes from licensed under MIT License to being under Apache License

- Contributor Agreements
    - Individual
    - Corporate
    - Included in OSS License

- Assigning Ownership or License full rights

Other Topics

- Changing Licenses

- Trademarks/Branding
  - Protecting the project name and community
  - Forks

- Other things developed by the community
  - Documentation, Training, Graphics …
  - Other types of licenses – Creative Commons

- Governance
  - Formalizing how project runs