

# Making Sense of Open Source Licenses



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*ApacheCon US 2008*



Open Source

≠

Development Methodology



Open Source  
=  
License







Open Source



License



Rights and Conditions



Empower



Community



The license determines  
the rules the community  
lives by.



Different licenses create  
different communities.



# Free Software & Open Source



The license captures the  
community philosophy.



# Making Sense of OSS Licenses

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- ❖ Goals
- ❖ Philosophy
- ❖ Example Uses
- ❖ Community Implications



Why Not Public Domain?



# Why Not Public Domain?

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- ❖ Warranty
- ❖ Attribution
- ❖ Requirements on distribution
- ❖ Requirements on derivative works
- ❖ To ensure code remains open source



A license is chosen to reach certain goals.



What goals?



# License Goals

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- ❖ Ensure certain code remains open source
- ❖ Reserve control
- ❖ Build a commercial coalition
- ❖ Encourage third-party marketplace
- ❖ Challenge competitors



# Free Software Definition



# Four Freedoms

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- ❖ Freedom to run the program
- ❖ Freedom to study and adapt the program
- ❖ Freedom to redistribute
- ❖ Freedom to improve





Copyleft



# Open Source Definition



# Open Source Software Definition

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- ❖ Free Redistribution
- ❖ Source Code
- ❖ Derived Works
- ❖ Integrity of Author's Code
- ❖ No Discrimination
- ❖ Distribution of the License
- ❖ No Specific Technology
- ❖ Cannot Restrict Other Software
- ❖ Technology-Neutral



# Free Distribution

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By constraining the license to require free redistribution, we eliminate the temptation to throw away many long-term gains in order to make a few short-term sales dollars. If we didn't do this, there would be lots of pressure for cooperators to defect.



# Source Code

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We require access to un-obfuscated source code because you can't evolve programs without modifying them. Since our purpose is to make evolution easy, we require that modification be made easy.



# Derivative Works

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The mere ability to read source isn't enough to support independent peer review and rapid evolutionary selection. For rapid evolution to happen, people need to be able to experiment with and redistribute modifications.



# Integrity of Author's Source Code

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Encouraging lots of improvement is a good thing, but users have a right to know who is responsible for the software they are using. Authors and maintainers have reciprocal right to know what they're being asked to support and protect their reputations.



# No Discrimination

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The major intention of this clause is to prohibit license traps that prevent open source from being used commercially. We want commercial users to join our community, not feel excluded from it.



# Distribution of License

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This clause is intended to forbid closing up software by indirect means such as requiring a non-disclosure agreement.



# License Not Specific to Product

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This clause forecloses yet another class of license traps.



# No Restriction of Other Software

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Distributors of open-source software have the right to make their own choices about their own software.



# Technology Neutral

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This provision is aimed specifically at licenses which require an explicit gesture of assent in order to establish a contract between licensor and licensee...

Conformant licenses must allow for the possibility that (a) redistribution of the software will take place over non-Web channels that do not support click-wrapping of the download, and that (b) the covered code (or re-used portions of covered code) may run in a non-GUI environment that cannot support popup dialogues.



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University of Illinois/NCSA Open  
Source License  
Vovida Software License v. 1.0  
W3C License  
wxWindows Library License  
X.Net License  
Zope Public License  
zlib/libpng license



# License Proliferation



# Most Common Licenses

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- ❖ Apache License, 2.0
- ❖ BSD licenses
- ❖ GNU General Public License (GPL)
- ❖ GNU Library or "Lesser" General Public License (LGPL)
- ❖ MIT license
- ❖ Mozilla Public License 1.1 (MPL)
- ❖ Common Development and Distribution License
- ❖ Eclipse Public License
- ❖ Artistic Licenses



# Open Source License Families

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- Dave Johnson

[http://rollerweblogger.org/page/roller?entry=gimme\\_credit\\_gimme\\_fixes\\_gimmem](http://rollerweblogger.org/page/roller?entry=gimme_credit_gimme_fixes_gimmem)



# Open Source License Families

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- ❖ **Give Me Credit**

- ❖ AL, BSD, MIT

- Dave Johnson

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# Give Me Credit

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- ❖ Software “Commons”
- ❖ Derivatives can sub-license
- ❖ May have some conditions
  - ❖ No warranty
  - ❖ Credit to original authors required
- ❖ Apache (AL), BSD, MIT



# Give Me Credit

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- ❖ Universal donor
- ❖ Limited control by any one entity
- ❖ Little value in direct commercial licensing
- ❖ Allows for commercial product development
- ❖ Allows for competing services
- ❖ Commoditized and “low-level”



# Give Me Fixes

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- ❖ File or derivative based conditions
- ❖ Original author may have special rights
- ❖ Differentiate between source and binary
- ❖ Larger works can be under a different license
- ❖ Mozilla (MPL), Eclipse (EPL/CPL), LGPL



# Give Me Fixes

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- ❖ Single entity control
- ❖ Still very “business friendly”
- ❖ Encourages incorporation of code into larger works
- ❖ Ensures direct development benefits all
- ❖ Tends towards libraries or platforms



# Give Me Everything

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- ❖ Copyleft
- ❖ Derivative works remain under the license
- ❖ Linked works may also remain under the license
- ❖ Ensures all 'down stream' have the same rights
- ❖ GPL



# Give Me Everything

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- ❖ All direct development is contributed back
- ❖ Contributors assured code remains open source
- ❖ Encourages a full free software economy
- ❖ Copyright holder retains much control
- ❖ Limits commercial adoption
- ❖ Dual-license business strategy



# License Scope

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*“Viral Index”*



# License Scope

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*“Viral Index”*



**AL**

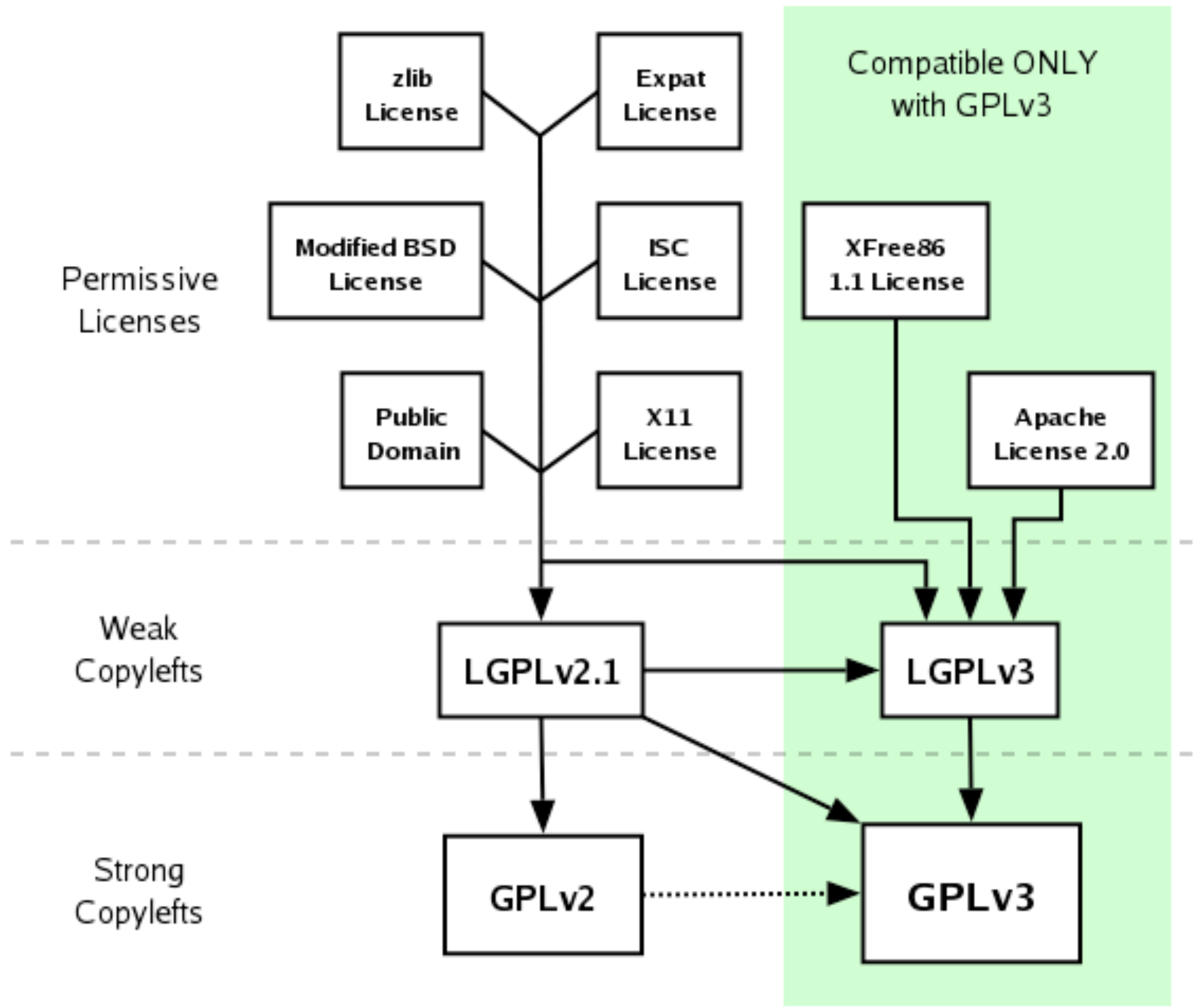
**MPL**

**GPL**



# License Compatibility

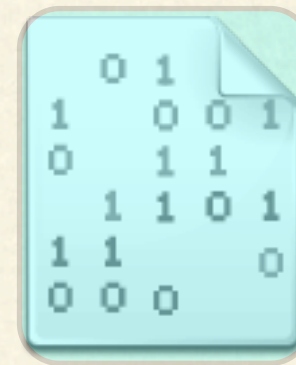






# Can I Relicense?

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**AL**

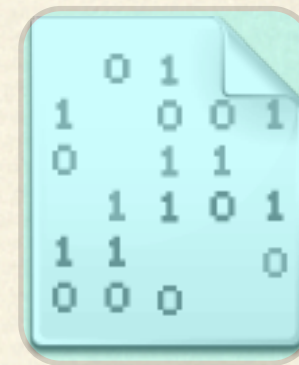
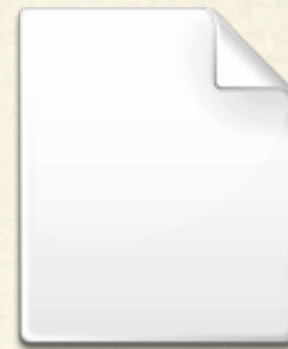
**MPL / LGPL**

**GPL**



# Can I Relicense?

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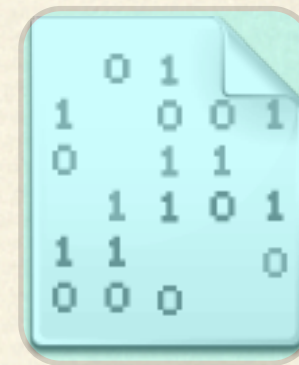
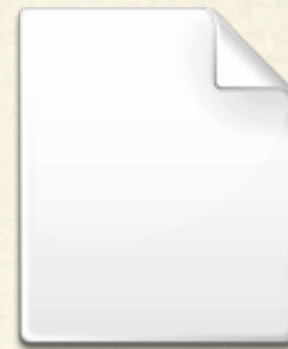
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**AL**



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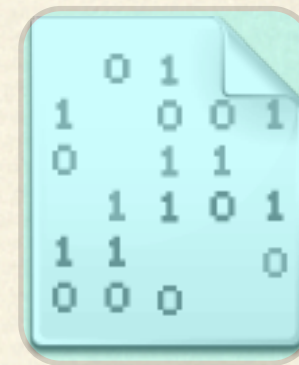
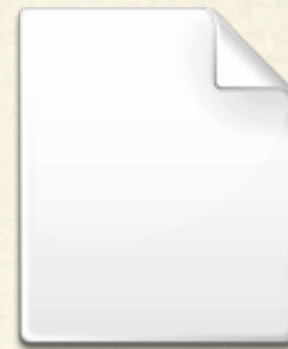


**GPL**



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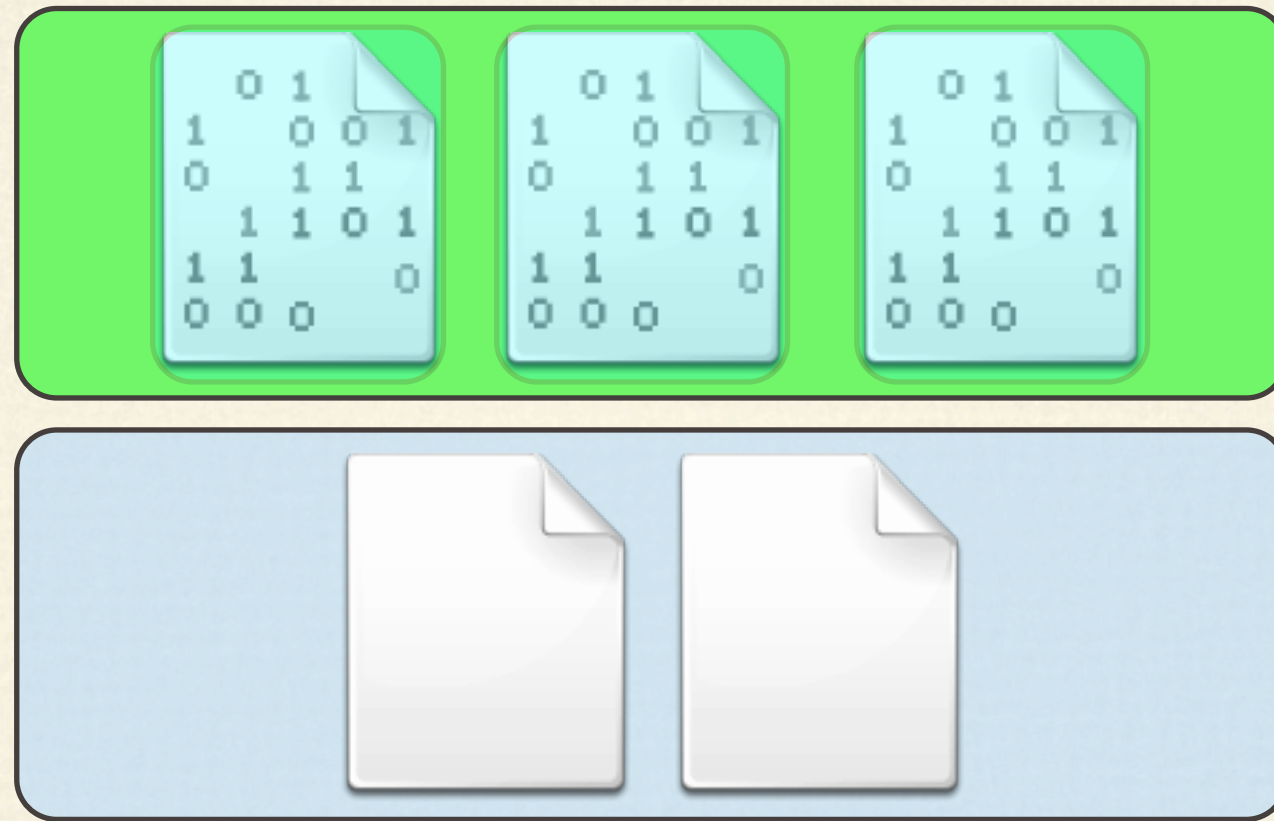
**AL**

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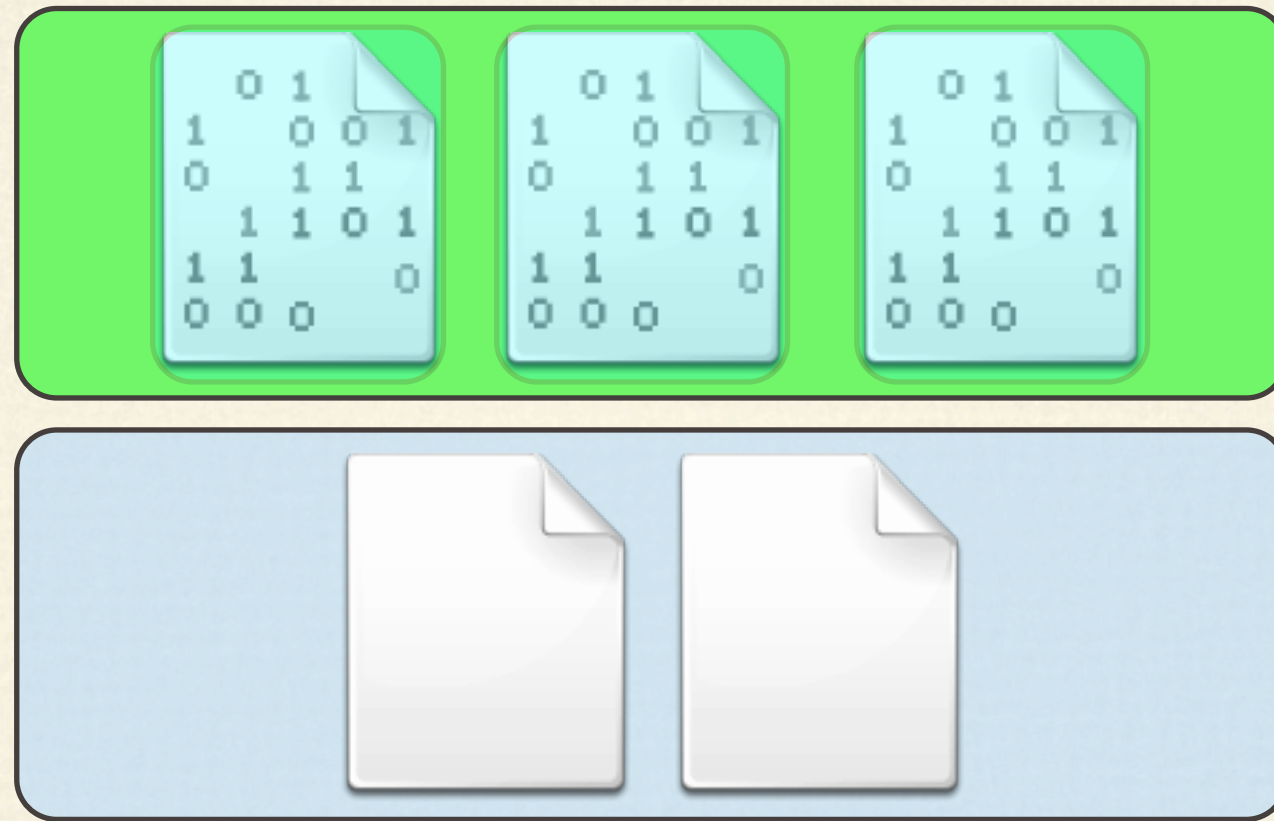
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**AL**



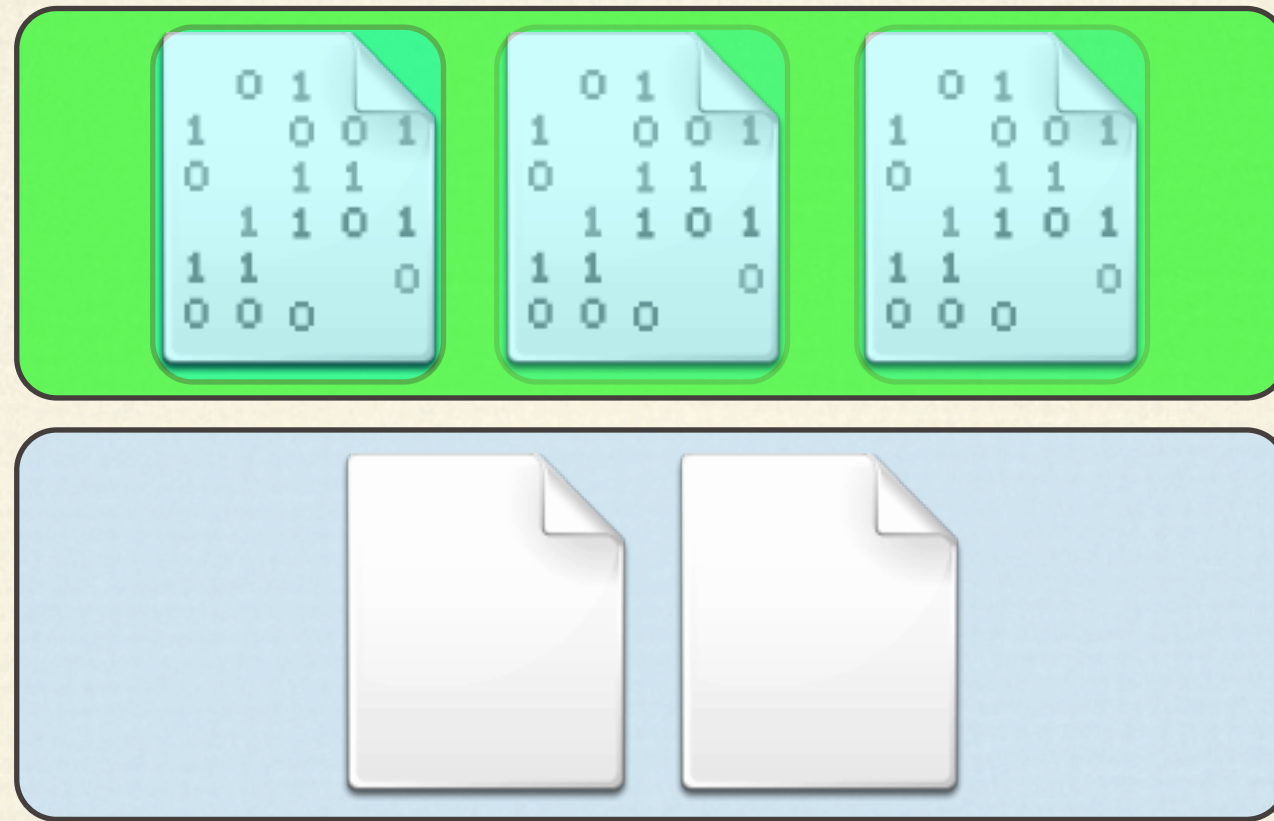
**MPL / LGPL**



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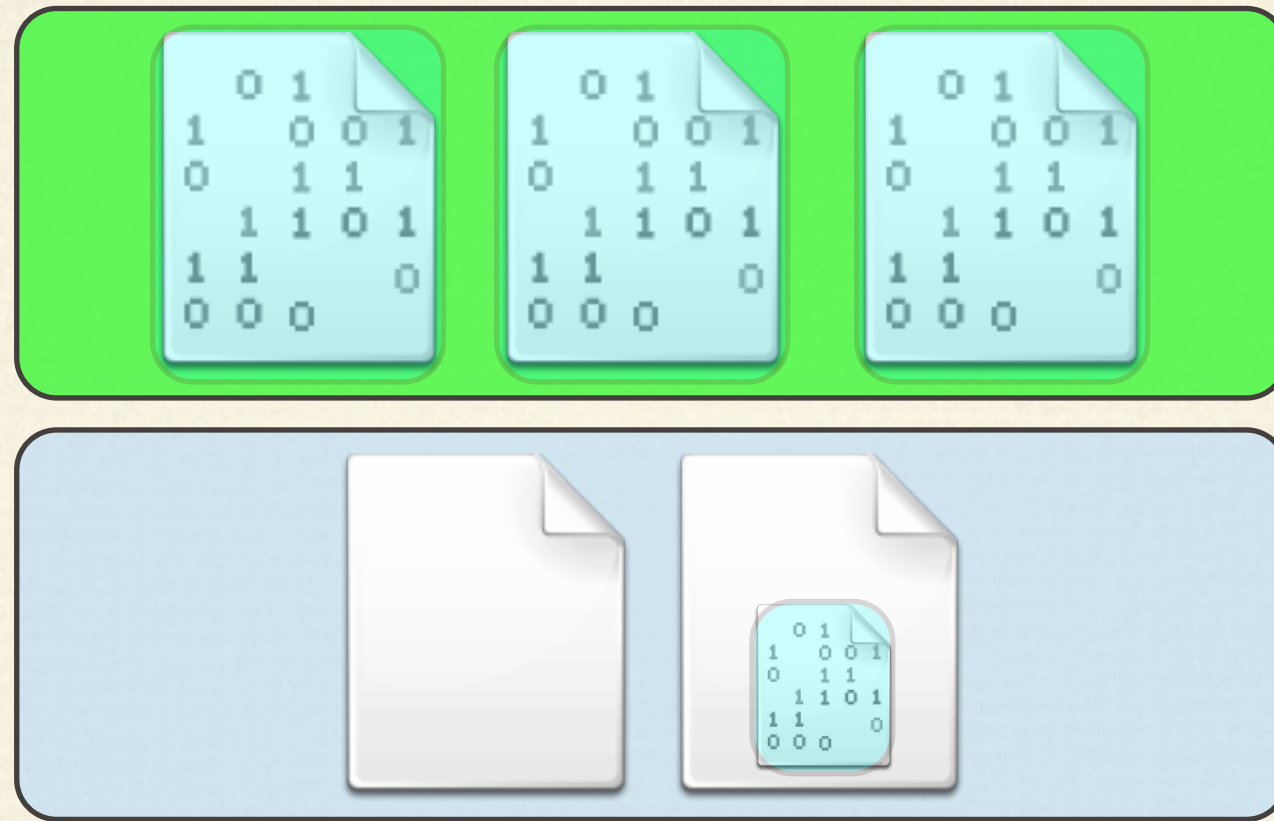
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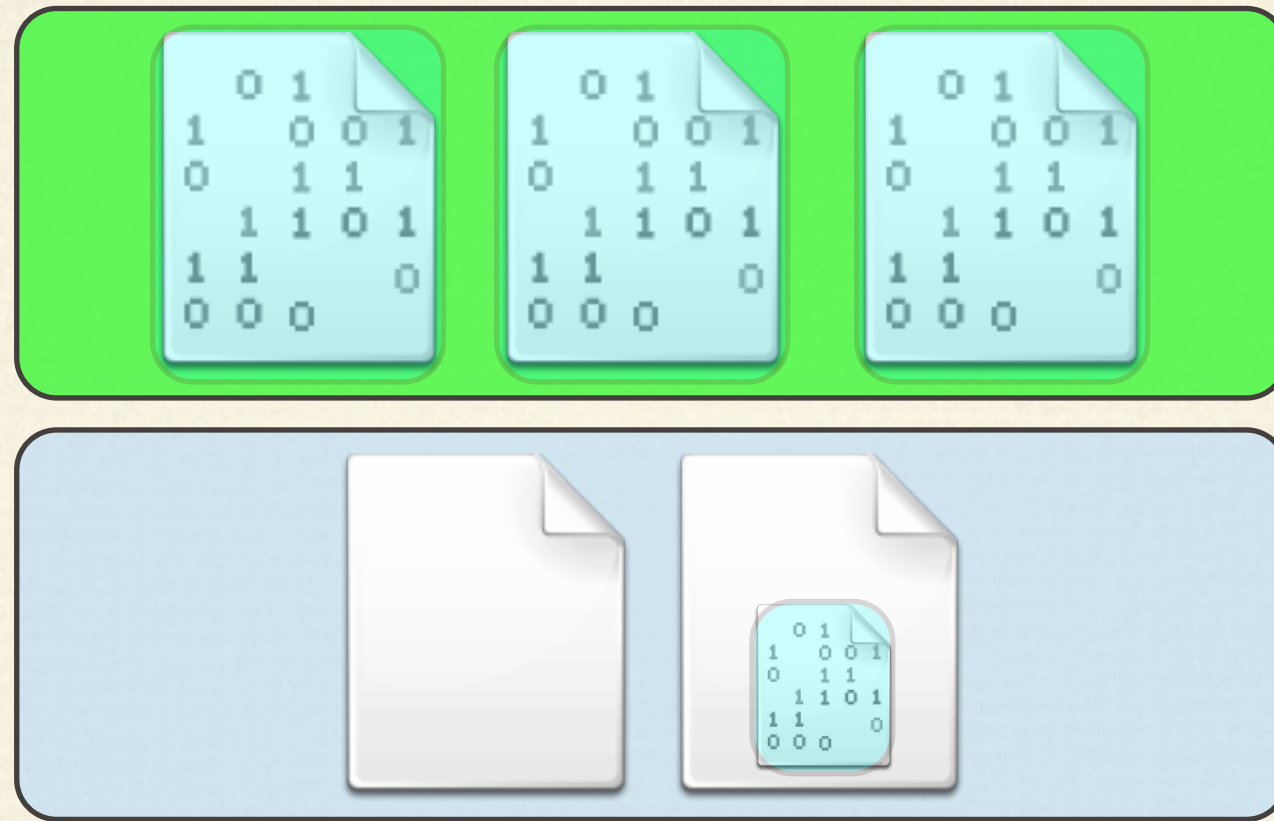
**AL**

**MPL / LGPL**

**GPL**



# Can I Relicense?



**AL**



**MPL / LGPL**



**GPL**



# Apache License



# Apache License

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- ❖ Permissive License (*Gimme Credit*)
- ❖ Requires Attribution via a NOTICE file
- ❖ No Trademark Grant
- ❖ Grant of Patent License



# Apache License Philosophy

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- ❖ To allow the maximum use of our software for any purpose and by all people.



# Making Sense of OSS Licenses

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- ❖ Goals
- ❖ Philosophy
- ❖ Example Uses
- ❖ Community Implications



# Open Source License Families

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Questions?

Thank you!  
farra@apache.org