Open Source Software License

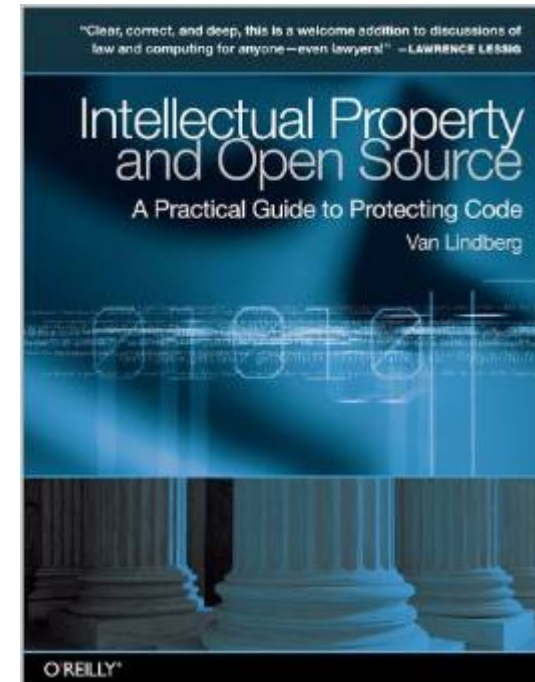http://opensource.org/

Intellectual Property and Open Source: A Practical Guide to Protecting Code

Van Lindberg

Goals

- Basics of Copyright

- Why is an Open Source License necessary?

- Why are the goals of an Open Source License?
    - categories/characteristics

- Let's look at the Mozilla License

- *What are your IP rights at Pacific?*

Copyright

- US copyright

- Object must be personal expression in *tangible form*

    - *fixation/originality/minimal creativity*

    - source code!

- Since 1976, copyright is automatic

    - previously needed to be registered

- Give control to the creator*

    - total control

    - created after 1/1/1978: life of creator + 70 years

http://copyright.gov/title17/

http://copyright.gov/help/faq/faq-general.html

Copyright

- Exclusive rights in copyrighted works

    –

http://www.copyright.gov/title17/92chap1.html#106

http://www.bitlaw.com/copyright/scope.htm

CS360
Pacific University

Public Domain

- Works with

  - copyright expired

  - given up

  - not available for copyright

http://fairuse.stanford.edu/overview/public-domain/welcome/

http://creativecommons.org/about/cc0

Why is an Open Source License necessary?

- Assumption: I want others to use my source code!
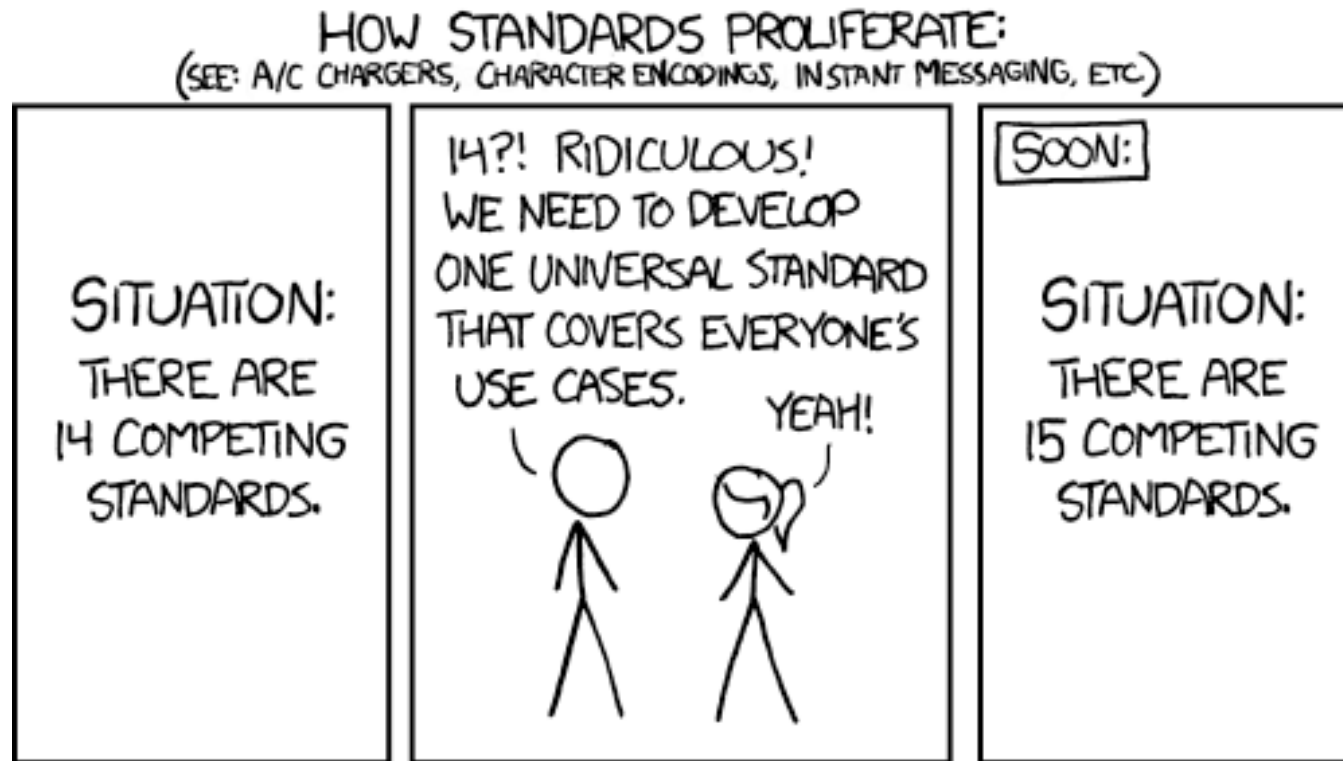
I will refer to Creative Commons throughout this talk.

Creative Commons states that you should not use a Creative Commons license for software

https://wiki.creativecommons.org/Frequently_Asked_Questions

Why are Licenses necessary?

- "GNU is not in the public domain. Everyone will be permitted to modify and redistribute GNU, **but no distributor will be allowed to restrict its further redistribution**. That is to say, proprietary modifications will not be allowed. **I want to make sure that all versions of GNU remain free**."

  - Richard Stallman, GNU Manifesto.

  - http://www.gnu.org/gnu/manifesto.html

Open Source Licenses

http://imgs.xkcd.com/comics/standards.png

http://xkcd.com/license.html

http://creativecommons.org/licenses/by-nc/2.5/

Goals

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Four Freedoms, abridged

The freedom to run the program, for any purpose (freedom 0).

The freedom to study/change how the program works (freedom 1)

The freedom to redistribute copies so you can help your neighbor (freedom 2).

The freedom to distribute copies of your modified versions to others (freedom 3)

https://www.gnu.org/philosophy/free-sw.html

Categories

- Academic

- Permissive

- Partially Closable

- Reciprocal

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3 types of licenses

1. Reciprocal

- if you change the code and redistribute it, you must also redistribute the source code; the code will remain open source.
- all the code linked to the code with a reciprocal license must remain with the same reciprocal license.

2. Partially reciprocal (file-based, weak copyleft)

- similar to the reciprocal but you can distribute a single component of your code with this license and link it to code with other license (even proprietary).

3. Academic

- you may relicense your derivative work under any license of your choice, or even make it proprietary.

http://flosscc.opensource.org/sites/default/files/FLOSS%20Ecosystem%20.pdf

Bruno Souza and Fabio Kon
Open Source Initiative - Education Working Group

Mozilla Public License (MPL 2.0)

1. Definitions

2. License Grants and Conditions

3. Responsibilities (distribution of source, etc)

4-9

10. Versioning

https://www.mozilla.org/MPL/2.0/FAQ.html

https://www.mozilla.org/MPL/2.0/

Present a License

- Who produced this license?

- Who uses this license? What projects? What types of projects?

- What are the goals of this license?

- Can you mix this software with proprietary software?

- How does this license affect distributing changed code? (Can I release changes under a different license?)

- Give me some examples of what you can do with the software licensed this way and some examples of things you cannot do with software licensed this way.

Open Source Success!

- Firefox vs Palemoon

- http://www.palemoon.org/

- "Pale Moon is an Open Source, Firefox-based web browser available for Microsoft Windows and Linux, focusing on efficiency and ease of use."

- "...optimizations to maximize the browser's speed*,..."

- http://www.palemoon.org/sourcecode.shtml

- https://github.com/MoonchildProductions/Pale-Moon

- http://www.palemoon.org/redist.shtml

The Free/Libre/Open Source Software Ecosystem -
How you can participate

Bruno Souza and Fabio Kon
Open Source Initiative - Education Working Group

(We encourage you to modify, adapt, extend, refine, and improve this set of slides and give your own customized presentation with it; you should put your name in the first slide and just add a small reference to our names in the last slide)

http://flosscc.opensource.org/content/spread-the-word

License Failure ?

TrueCrypt   http://truecrypt.sourceforge.net/

- Encryption software available for many years

- http://istruecryptauditedyet.com/

- Mysteriously closed down in May 2014

- Custom license, very unclear

- No one can pickup the source code and continue the project.

- http://arstechnica.com/security/2014/05/truecrypt-is-not-secure-official-sourceforge-page-abruptly-warns/

- http://arstechnica.com/security/2014/06/following-truecrypts-bombshell-advisory-developer-says-fork-is-impossible/

TrueCrypt License

- v 3.1 http://lwn.net/Articles/600701/

    - decryption only

- v 3.0 https://github.com/warewolf/truecrypt/blob/master/License.txt

    - full product

- http://lists.freedesktop.org/archives/distributions/2008-October/000276.html

    - version 2.5 discussion but some language still appears in the license.

Need for License

https://github.com/usrbinnc/netcat-cpi-kernel-module

- Linux kernel module that plays music

- A band distributed a recording of their own music with the kernel module

- https://github.com/usrbinnc/netcat-cpi-kernel-module/issues/27

    - No license provided

- https://github.com/usrbinnc/netcat-cpi-kernel-module/issues/8

    - confusion over how to license the module and music

Highpoint Rocket Raid

- RAID: Redundant Array of Inexpensive Disks

  - view a bunch of disks as one large disk!

- We run HighPoint RocketRaid 1740

  - not supported on modern (3.X versions) of Linux

- http://www.highpoint-tech.cn/usa/bios_rr1740.htm

  - "Linux Open Source Driver"

  - no license listed

  - you can edit the driver for your own personal use

  - can you redistribute your edits?

Resources

- creative commons – not for software

- http://www.rosenlaw.com/oslbook.htm

- https://www.gnu.org/licenses/license-recommendations.html

- https://www.gnu.org/licenses/gpl-faq.html

- http://opensource.org/licenses http://opensource.org/faq

http://flosscc.opensource.org/sites/default/files/FLOSS%20Ecosystem%20.pdf
- *good background, history, license*

http://dl.dropboxusercontent.com/u/2814392/asharma-osi-what-is-opensource-presentation.pdf
- *background, motivation*

http://www.copyright.gov/circs/circ15a.pdf   http://copyright.gov/circs/circ1.pdf

Thanks

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Group

http://flosscc.opensource.org/content/spread-the-word