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# Software Licenses

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(\*) Disclaimer: I'm a software engineer, not a lawyer! For legal advice, consult with your legal department.

# Is this relevant for me? I'm not a developer!

- Imagine you write some software for a research project
  - e.g. an evaluation script for gathered data
- Sharing the software may increase reproducibility of your research!
- **But** ignoring licenses may get you in legal trouble!
  - beware the copyright owner's wrath



# Why license software?

- Makes software *easily legally reusable*
  - Without license: Assume strictest possible setting!
- Can have a big impact on success of software projects
  - Ease of legal (re)use → popularity
  - Financial aspects
- May also influence *patent rights*



# When are software licenses relevant?

## ■ *Using* software packages

- Check the licenses of your project's dependencies to see if it conforms with the legal requirements
- Consider alternatives if a dependency's license doesn't fit <sup>(1)</sup>

## ■ *Publishing* a software project

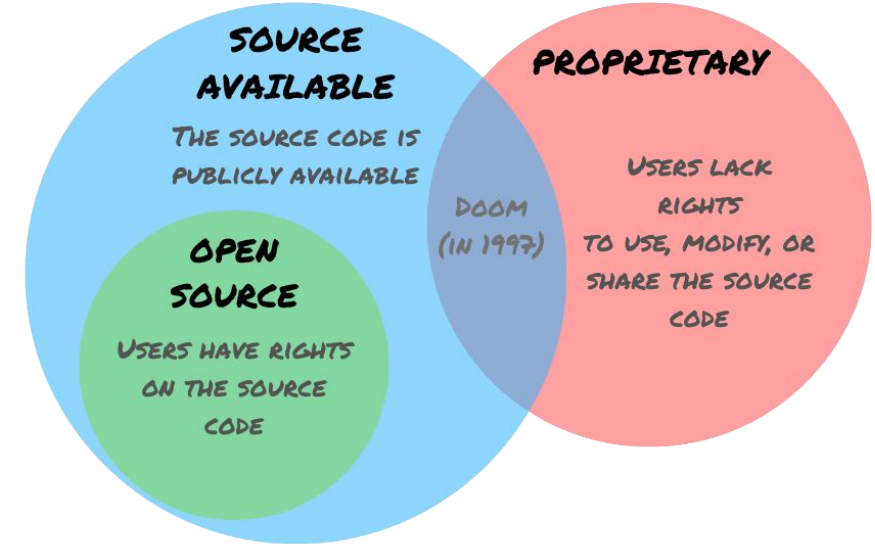
- Pick an existing software license that satisfies your needs and those of your intended target audience
- *Not recommended*: Create and use a custom license

<sup>(1)</sup> e.g. because of *license incompatibility*, or because it just doesn't fit your use case

# Software licenses – overview

## ■ Types of licenses

- Free<sup>(1)</sup> and Open Source
  - Public Domain
  - **Permissive Licenses**
  - **Copyleft**
- Non-free
  - Non-commercial: Prohibits commercial use
  - Proprietary: Traditional copyright applies
  - Trade secret: Only internal, no public information



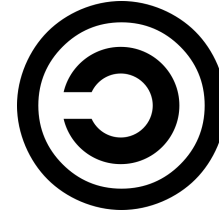
<sup>(1)</sup> as in *freedom* – these licenses generally provide very liberal usage rights

# Open source licenses: Permissive

- Very few restrictions on reuse of code
- Examples:
  - MIT / Expat
  - BSD
  - Apache
  - ...
  
- Downside: Financial profit highly unlikely



# Open source licenses: Copyleft

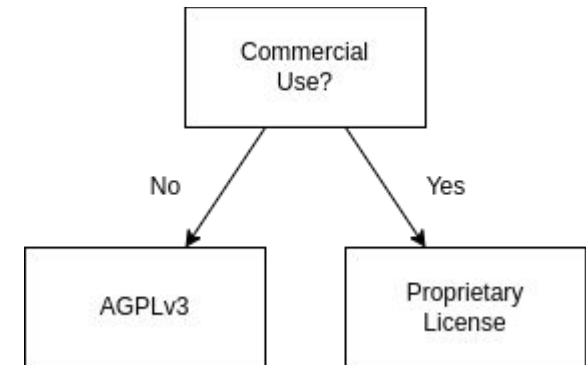


- Protective: No sub-licensing
  - **Derivative works** need to be published under the same license
- Examples:
  - GNU General Public License Family: LGPL, GPL, AGPL
  - MPL (Mozilla)
  - EPL (Eclipse)
  - ...
- Downsides: Could deter developers and companies, license compatibility



# Dual licensing

- Multiple licenses can be applied to the same software conditionally
- Example: MinIO (<https://min.io/pricing>):
  - AGPL for free use
  - Alternative licenses for paid use
- Downside: Even more complex and nuanced





## Choose an open source license

An open source license protects contributors and users. Businesses and savvy developers won't touch a project without this protection.

{ Which of the following best describes your situation? }

**I need to work in a community.**

Use the **license preferred by the community** you're contributing to or depending on. Your project will fit right in.

If you have a dependency that doesn't have a license, ask its maintainers to **add a license**.

**I want it simple and permissive.**

The **MIT License** is short and to the point. It lets people do almost anything they want with your project, like making and distributing closed source versions.

**Babel**, **.NET**, and **Rails** use the MIT License.

**I care about sharing improvements.**

The **GNU GPLv3** also lets people do almost anything they want with your project, **except** distributing closed source versions.

**Ansible**, **Bash**, and **GIMP** use the GNU GPLv3.

{ What if none of these work for me? }

**My project isn't software.**

There are licenses for that.

**I want more choices.**

More licenses are available.

**I don't want to choose a license.**

Here's what happens if you don't.

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This creative commons license is very similar to the regular Attribution license, but requires you to release all derivative works under this same license.

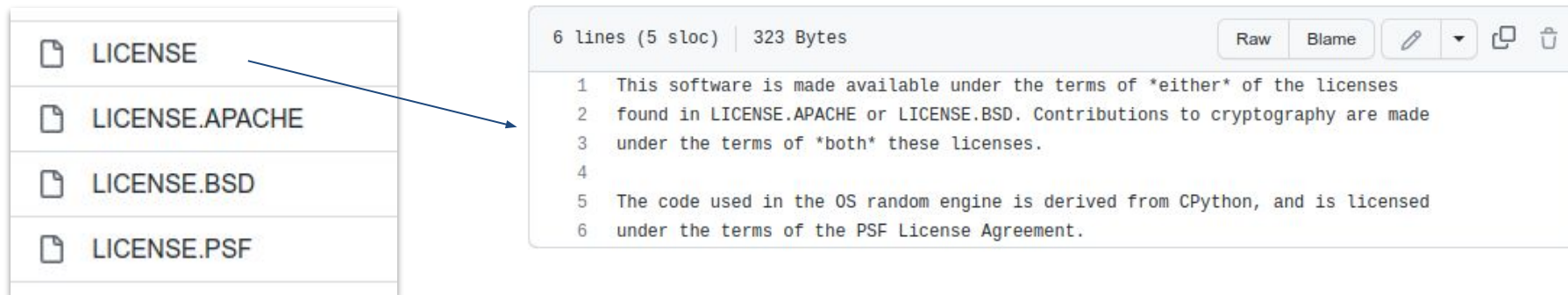
[Publicly Available](#) [OPEN DATA](#)

<https://choosealicense.com>

<https://ufal.github.io/public-license-selector>

# Multiple licenses in the same repository

- In case that the same repository contains differently licensed code, a good place to specify this is in the **LICENSE** file (e.g. <https://github.com/pyca/cryptography>)
- Note that you cannot change the wording of the licenses! (e.g. [removing the preamble of the GPL is a no-go](#))



The image shows a file explorer on the left with four files: LICENSE, LICENSE.APACHE, LICENSE.BSD, and LICENSE.PSF. An arrow points from the LICENSE file to a code viewer on the right. The code viewer shows the content of the LICENSE file, which is 6 lines (5 sloc) and 323 Bytes. The content is as follows:

```
6 lines (5 sloc) | 323 Bytes
Raw Blame
1 This software is made available under the terms of *either* of the licenses
2 found in LICENSE.APACHE or LICENSE.BSD. Contributions to cryptography are made
3 under the terms of *both* these licenses.
4
5 The code used in the OS random engine is derived from CPython, and is licensed
6 under the terms of the PSF License Agreement.
```

# Other objects in the repository

- If you have other resources in the repository with different licenses (e.g. Creative Commons), you can mention that in the **README**
  - e.g. <https://github.com/max-moser/lightdm-elephant-greeter#licenses>

## Licenses

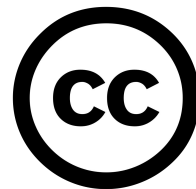
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- `img/X.svg` : CC-BY-SA, by Sven
- `img/wayland.svg` : CC-BY, by Kristian Høgsberg

# Why not Creative Commons for code?

- Some concepts aren't touched on in the CC licenses, e.g. *distribution*
- *Compatibility* with other licenses is a big issue (especially GPL)
- CC0 *might* be acceptable (but not always)

<https://creativecommons.org/faq/#can-i-apply-a-creative-commons-license-to-software>



# Further resources



Open Source Initiative (OSI):

<https://opensource.org>

<https://commons.wikimedia.org/wiki/File:Opensource.svg>



“Free and Open Source software licenses explained”

<https://www.youtube.com/watch?v=UMIG4KnM8xw>

MIT License (Expat) Track in FOSSA

Code License managed by kevin, submitted 8 years ago. #Open Source #OSI-Approved #Permissive

Summary Fulltext Changesets 1189555

### Quick Summary Edit

A short, permissive software license. Basically, you can do whatever you want as long as you include the original copyright and license notice in any copy of the software/source. There are many variations of this license in use.

Can	Cannot	Must
<ul style="list-style-type: none"> <li>Commercial Use</li> <li>Modify</li> <li>Distribute</li> <li>Sublicense</li> <li>Private Use</li> </ul>	<ul style="list-style-type: none"> <li>Hold Liable</li> </ul>	<ul style="list-style-type: none"> <li>Include Copyright</li> <li>Include License</li> </ul>

Disclaimer: This is only a short summary of the Full Text. No information on TldrLegal is legal advice.

Quick overview over license requirements:

<https://tldrlegal.com>



# Contact

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