Central IP Service

open source licensing

overcoming legal barriers to sharing

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free software **is** **not** **copyright** **free**

OSS uses **copyright** to **enable...**

free open source* **is a** **sharing** **philosophy** **based on** **4 rights**

open { use copy modify distribute }

essential [...] for society as a whole because they promote social solidarity—that is, **sharing and cooperation.** *(gnu.org)*
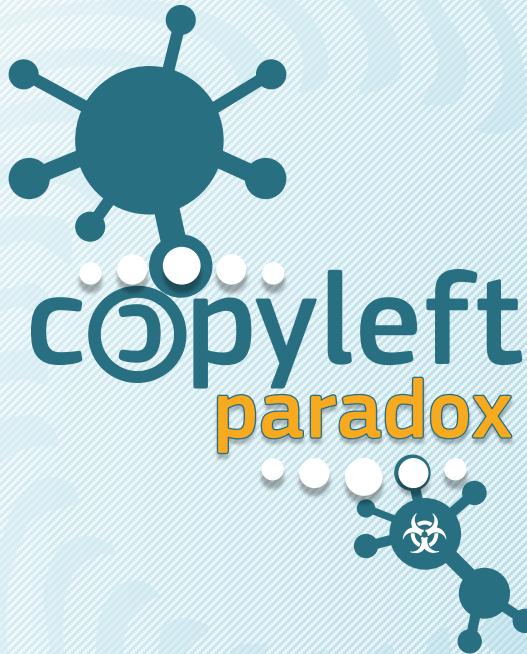
*a.k.a. *OSS* or *FOSS*

European Commission

permissive OSS licensing

- conceived to enable open distribution of software code
- reduced minimal conditions (attribution)
- ▶ aims at widest possible distribution

copyleft OSS licensing

- conceived to maintain software code and its modifications open
- viral clause affecting modified versions and code integrated thereto
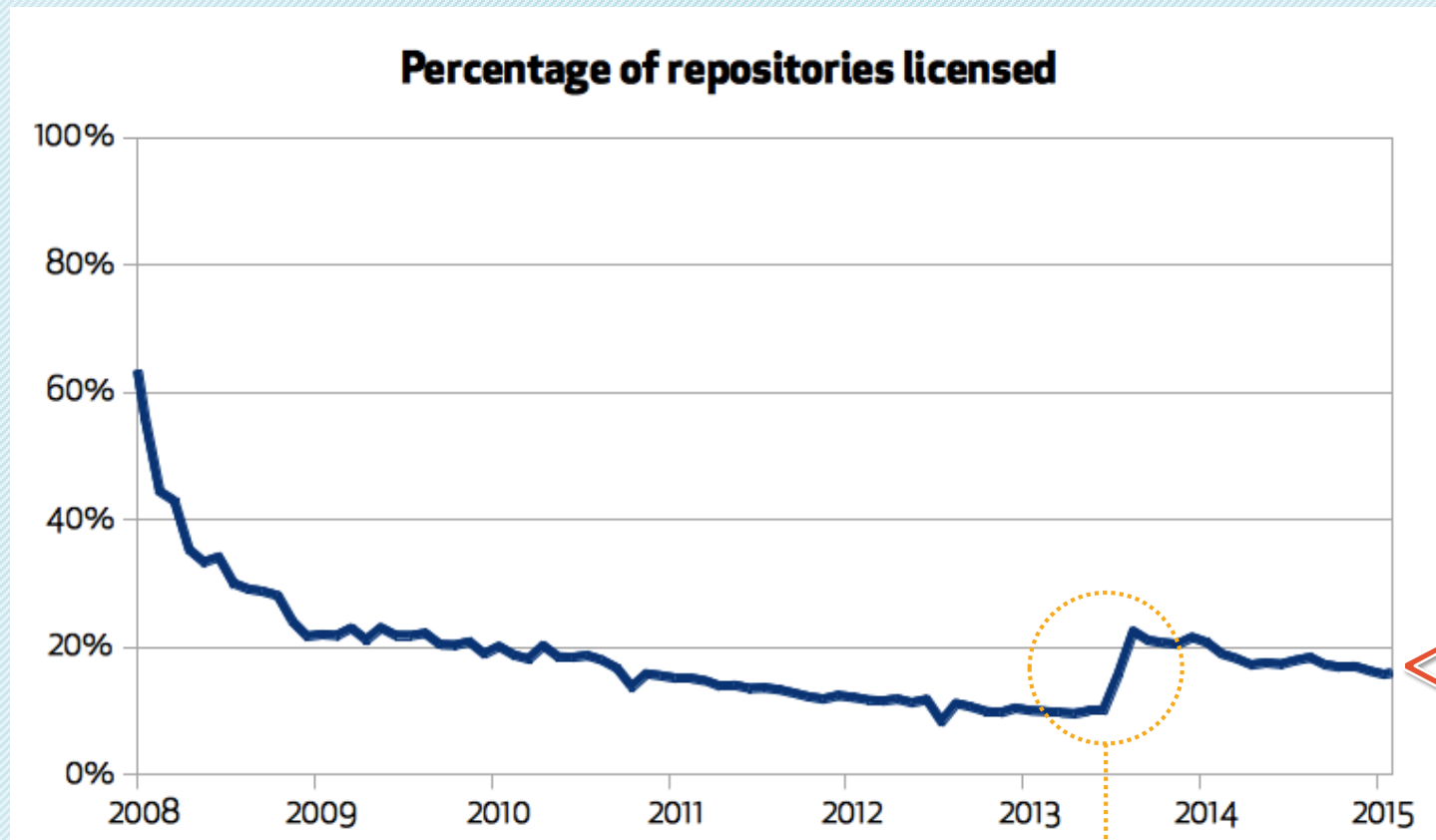- ▶ aims at retaining (some) control over downstream developments

sub-categorises exist...

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copyleft
paradox

- copyleft-types proliferation
- incompatible terms
- code mishmash practice
- respecting one licence would breach the other
- result: no distribution!

" devised to forbid restrictions to sharing results in creating barriers to sharing "

defeats the very **purpose** of copyleft

Percentage of repositories licensed

<20%

Licence picker → **ChooseALicense.com**

img source: GitHub

*Central
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no
licence
is **not** a
sharing
method

- copyright is an **exclusive right**
- what is not licensed **remains with author**
- no licence = **no rights granted**

At best is an implicit permission to read the code and study its structure and functions...lack of legal certainty as to the rest.

Full-fledged own projects (e.g. application software)

Establish most suitable licensing method → **e.g. EUPL**

Use copyleft **to ensure that further developments will remain open**

Contributions to third-party projects (e.g. enhancement within ISA)

Project should already have an established licensing method → **e.g. AGPL**

Make sure not to generate cross-copyleft issues with your contribution: opt for permissive **if project already established a copyleft distribution**

Polyvalent libraries and frameworks (e.g. image management subroutine)

Use licensing method that maximises reuse → **e.g. MIT (or LGPL)**

Prefer permissive licensing (or weak copyleft) **to incentivise adoption**

European
Commission

thank you

questions?
suggestions?
let me know!

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