

The Purpose and Intent of the GNU General Public License

Bradley M. Kuhn
Executive Director
Free Software Foundation

Free Software Definition

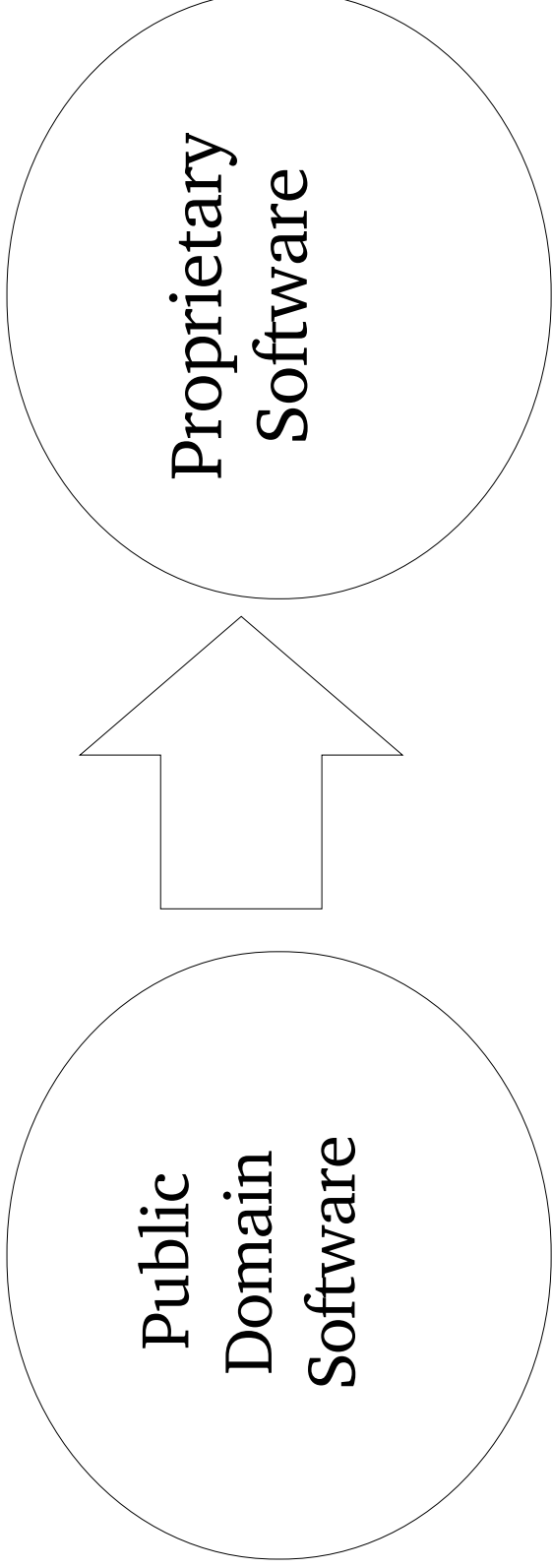
- Freedom to run for any purpose.
- Freedom to change and modify.
- Freedom to copy and share.
- Freedom to share improvements.
- **All freedoms are commercial and non-commercial.**

How Does Software Become Free?

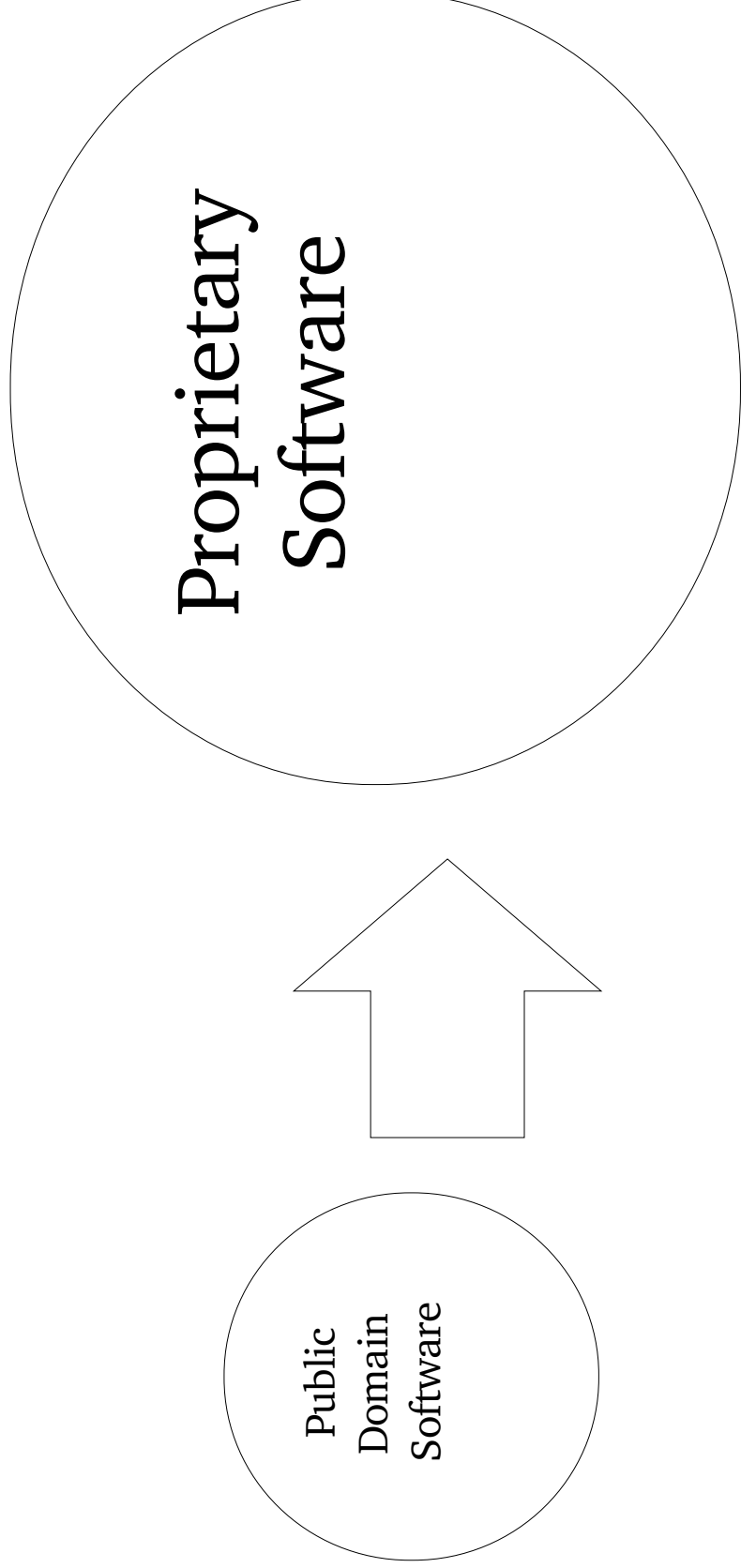
Public Domain?

- Grants all the key freedoms.
- No copyright asserted.
- Can simply "feed" proprietary changes!

Public Domain Feeds Proprietary Software



Public Domain Feeds Proprietary Software

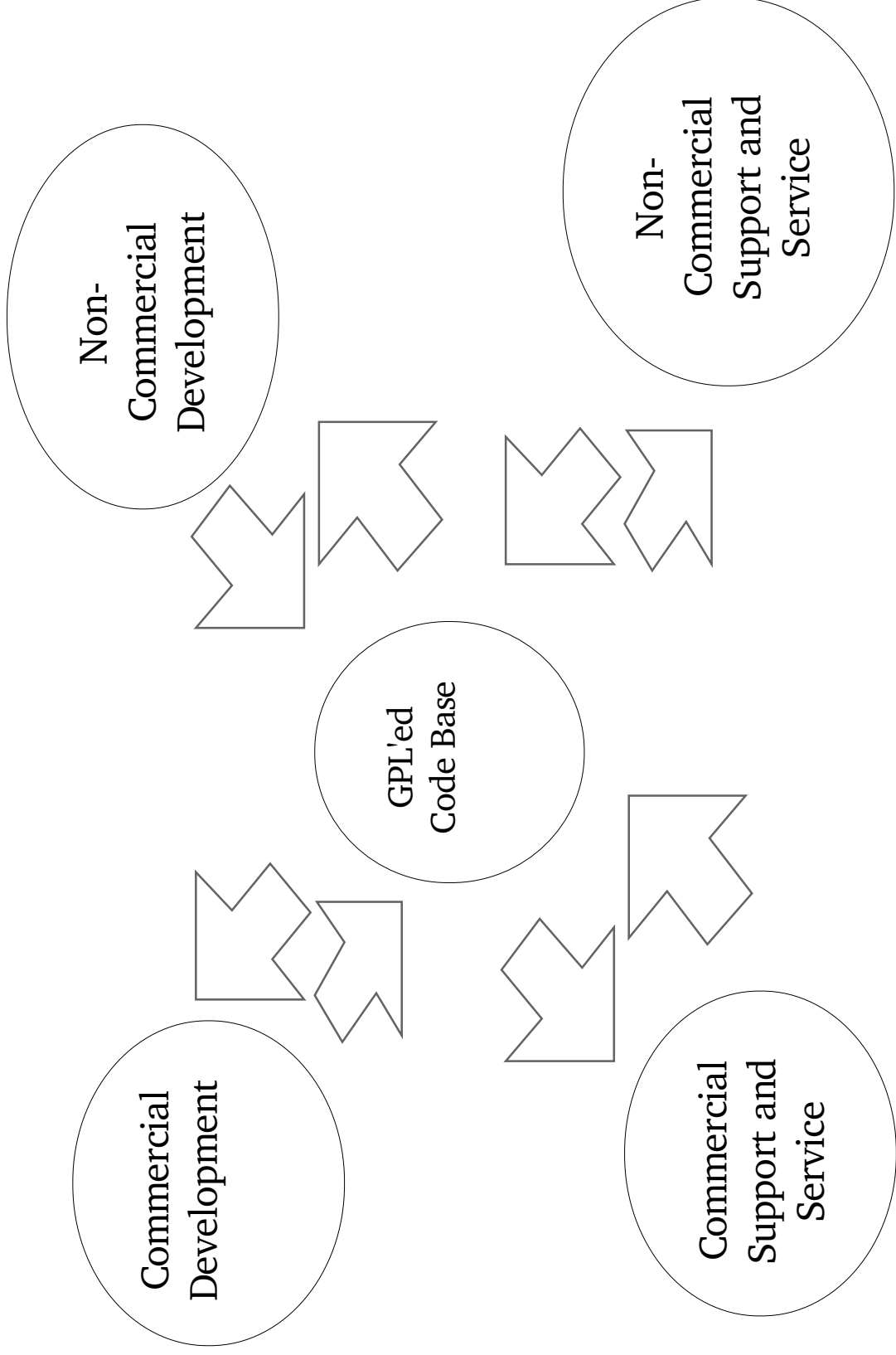


How Is Freedom Protected?

- Copyright the software.
- Grant all key freedoms.
- Restrict activities that take freedom.
- **This concept is called "copyleft".**
- Copyright license that implements copyleft:

GNU GPL

The GPL Ecosystem



The Law Analogy

- Laws can be studied and learned freely.
- Lawyers write opinions and briefs.
- Texts fed into law's commons.
- Lawyers are paid to service the commons.
- Yet, no one defends oneself in court...
- ... there is a market for **experts**.
- GPL'ed commons works similarly.

GNU GPL

Section 0 - Asserting Copyright

- GPL is a copyright license
- Governs: copying, modifying, distributing
- Other activities **not** governed
- Particularly, fair and unregulated use

GNU GPL

Section 0 - Derivative Work Defined?

- "work based on the Program"
- Copyright law gives definition
- Would be problematic for license to define
- Copyright law for software is new frontier

GNU GPL

Section 0 - Freedom to Run

- no restrictions on running of program
- asserts freedom even if copyright covers
- output only covered for "self outputting" software

GNU GPL

Section 1- Verbatim Copying

- Allow copying and distribution of source
- ... in any medium
- Keep in place copyright and related notices
- warranties can be sold, though.

Derivative Works of Software

Daniel Ravicher will discuss the legal details of derivative works of software programs.

GNU GPL

Section 2 - Distributing Modified Source

- Rules cover source
- Section 3 allows for binaries of such source
- 3 subsections (must meet all)
- Followed by explanation on some details

GNU GPL

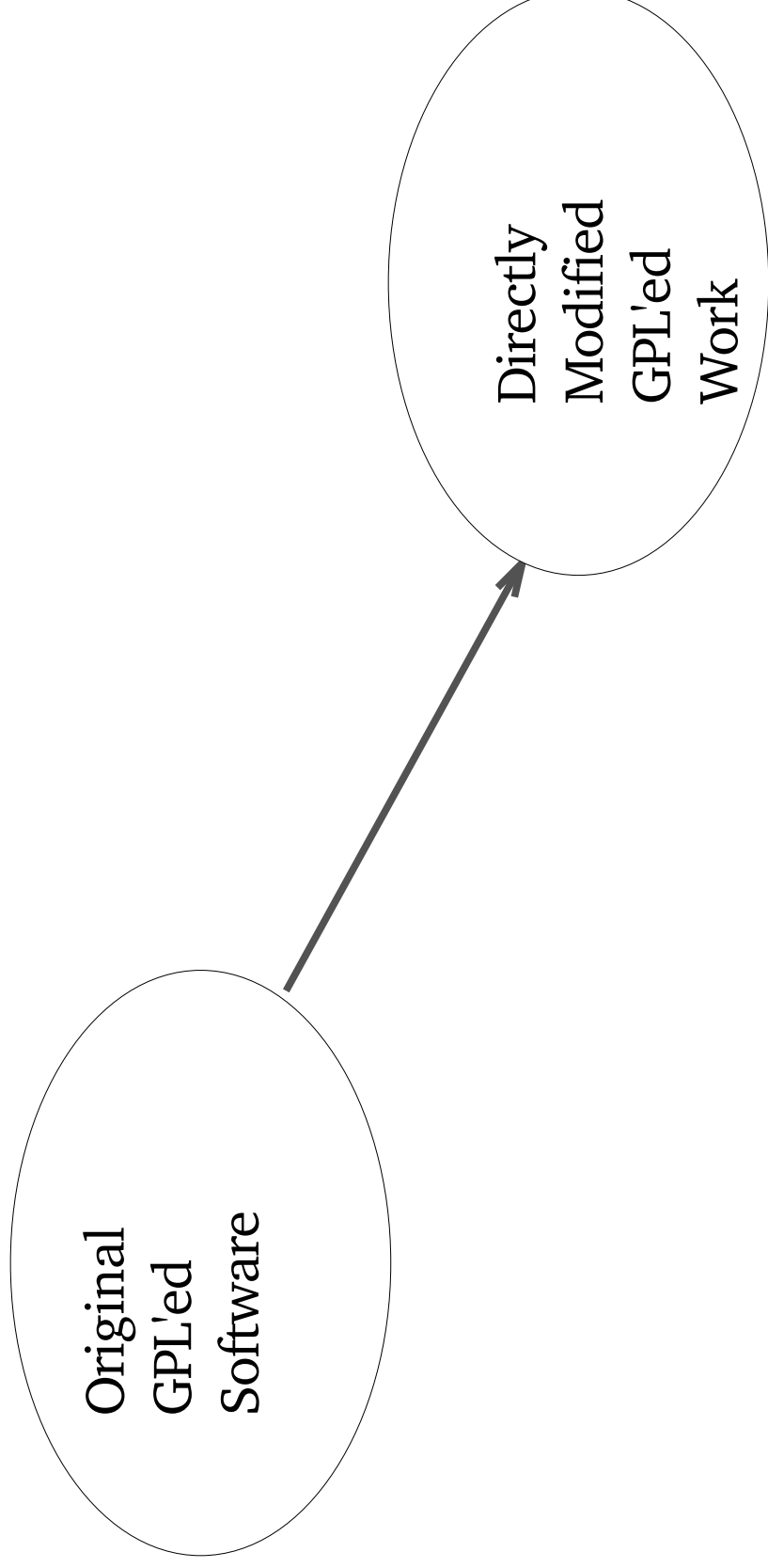
Section 2(a) - Mark Changes

- prominent notices of changes
- date of changes
- requirement is interpreted liberally
- Goal: user knows it's non-canonical
- Goal: developers can build upon it

GNU GPL

Section 2(b) - Share and Share Alike

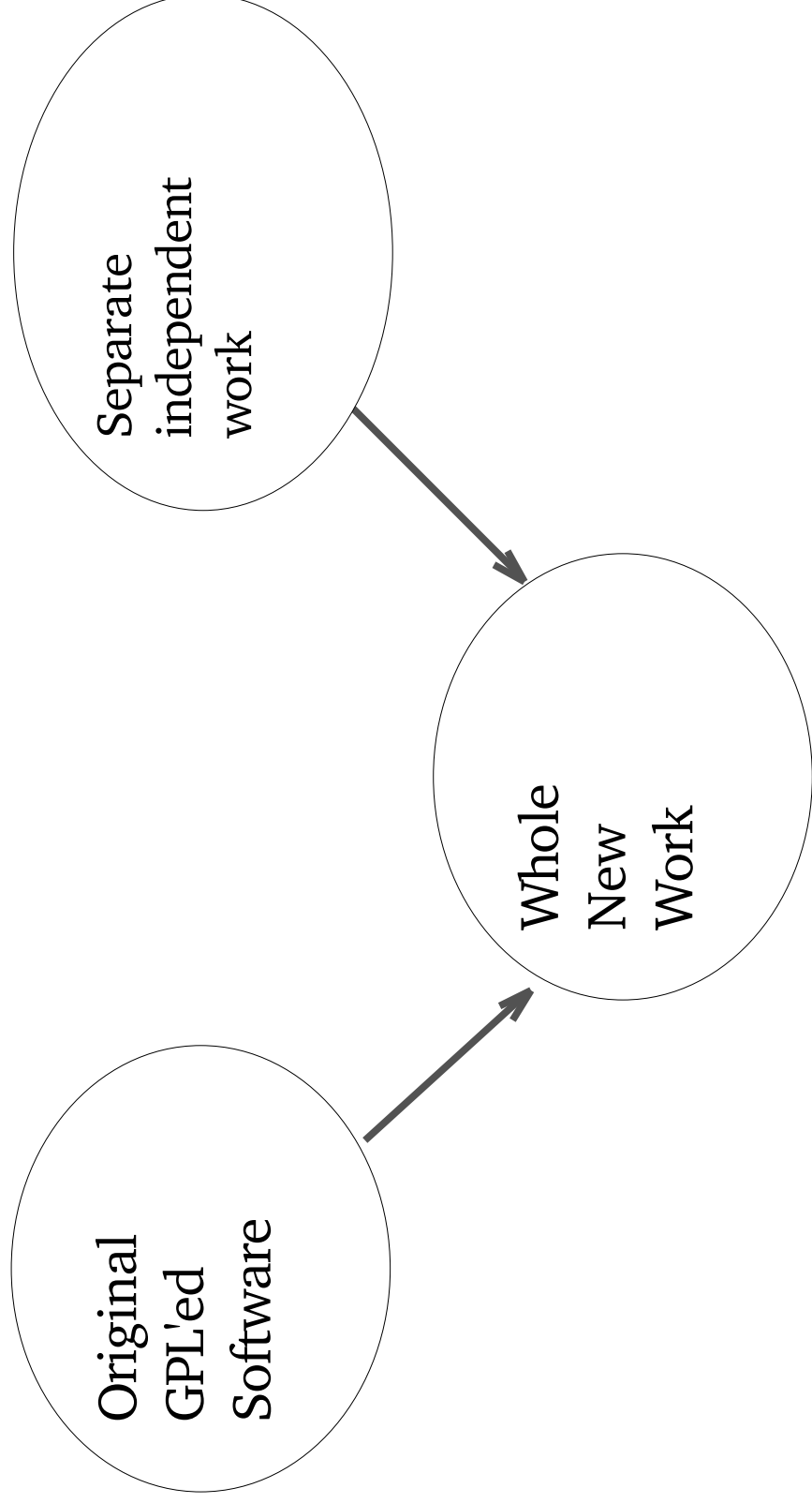
Applies to directly modified works



GNU GPL

Section 2(b) - Share and Share Alike

Only applies to **whole** derivative works



GNU GPL

Section 2(b) - Share and Share Alike

Right to Private Modification

- Only applies when publishing/distributing
- Private derivative works always permitted
- Publishing is modifiers' prerogative

GNU GPL

Section 2(b) - Share and Share Alike

2(b)'s last 19 words

- "licensed as a whole"
- "at no charge": no **licensing** fees
- "to all third parties": later redistribution
- "terms of this License": **GPL**

GNU GPL

Section 2(b) - Share and Share Alike

"Mere Aggregation"

- proprietary and free on same CD
- nothing like a virus:
- ... close proximity means nothing

GNU GPL

Section 2(c) - Interactive Run Clause

- requires preservation of specific feature
- interactive notice of license and warranty
- only if someone has added feature
- important issue for user freedom

GNU GPL

Sect. 3 - Distributing Binaries

- Binaries are objects or executables
- Computer needs them
- Are derivative works under copyright
- Thus, permission is needed
- Three options, choose one.
- Rest is clarification on 3(a)

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Sect. 3(a) - Source Provision

- machine-readable (no stone tablets)
- corresponding: what built binary?
- complete and preferred form:

What would a programmer do?

GNU GPL

Sect. 3(a) - Preferred and Complete

What Does a Programmer Need?

- Source in a form that one can use
- Scripts, Makefiles, build directions
- In short: What did you need?
- One exception....

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Sect. 3(a) - Preferred and Complete

"Major Components" Exception

- "Solaris" binaries exception
- Does average person with that platform have it?
- But, Sun is not off the hook!

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Sect. 3(b) - Offer for Source

- put it in writing
- valid for three years
- Internet URL not good enough!
- can charge costs **only**
- Obligations not complete at distribution

GNU GPL

Sect. 3(c) - Pass Along 3(b) Offer

- only for non-commercial use
- save users some trouble
- Reason 3(b) open to all 3rd parties

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Sect. 4 - Termination

- Where all enforcement happens.
- Copyright rights "off" by default.
- GPL turns some on.
- Nothing else gives permission.
- Violate the license - >
your license terminates.

GNU GPL

Sect. 5 - Acceptance (GPL-style)

- GPL is **not** a contract; it's a copyright license
- How does one accept?
- Acceptance is indicated by undertaking:
- copying, modifying, and/or distributing

GNU GPL

Sect. 6 - GPL and only GPL

- No restrictions beyond GPL imposed.
- Automatic license to third parties.
- Indemnity from third-party violation.

GNU GPL

Sect. 7 - "Give My Software Liberty or
Give It Death!"

- Legal systems besides copyright can cover software: patents, contracts, court orders.
- Ensures agreements never trump GPL.

GPL Section 0-7 Summary

- Section 0: run the program for anything.
- Section 1: sharing source
 - credit where credit is due.
- Section 2: Modifications - with copyleft.
- Section 3: Source with binaries!
- Section 4: Termination on violation.
- Section 5: Acceptance by acting.
- Section 6: GPL and only GPL...
- Section 7: ... and nothing may trump it.

GNU GPL

Section 8 - Excluding Unfreedomia

- Copyright Holder can limit distribution
- Avoid countries with Draconian patent or copyright law

GNU GPL

Section 9 - FSF As Stewards of GPL

- FSF has exclusive right to update GPL
- Not done often
- will entail long input process from all stakeholders

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Section 10 - Relicensing Permitted

- Reminder of fact already true under
copyright law
- It is common in Free Software world

GNU GPL

Section 11 - Warranty

Disclaimer

- disclaims all warranties that can be disclaimed
- One can always sell warranties

GNU GPL

Section 12 - Limitation of Liability

- Some warranties in some jurisdictions cannot be disclaimed
- This handles liability in those cases Section 11 missed

GNU LGPL

1st LGPL'd Program: glibc

- Needed more lax license to reach a larger goal
- All programs link with the C Library
- A windfall?
- Too many existing implementations
- Users would still get some freedom w/ library



GNU LGPL

Halfway from GPL to X11 License

- Most terms mirror the GPL terms
- Allows certain proprietary derivative works
- Makes sure the LGPL'ed code and its direct improvements remain Free

GNU LGPL

Additions to Preamble:

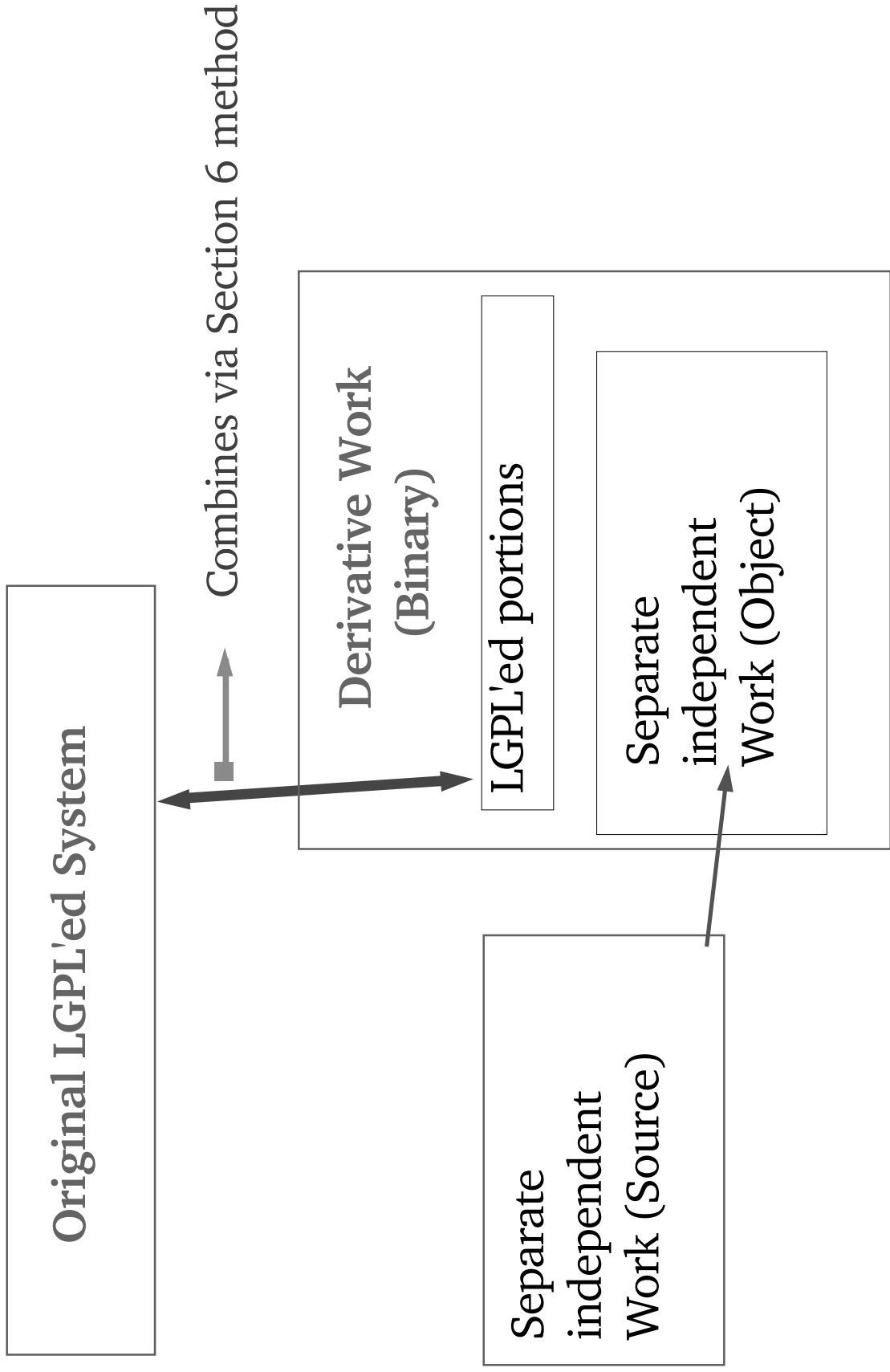
When use LGPL?

- encourage creation of Free de-facto standard
- adoption of interface-identical Free alternative
- add some level of freedom to otherwise-proprietary products



GNU LGPL

"Works that uses the library"



GNU LGPL

"Works based on the library"

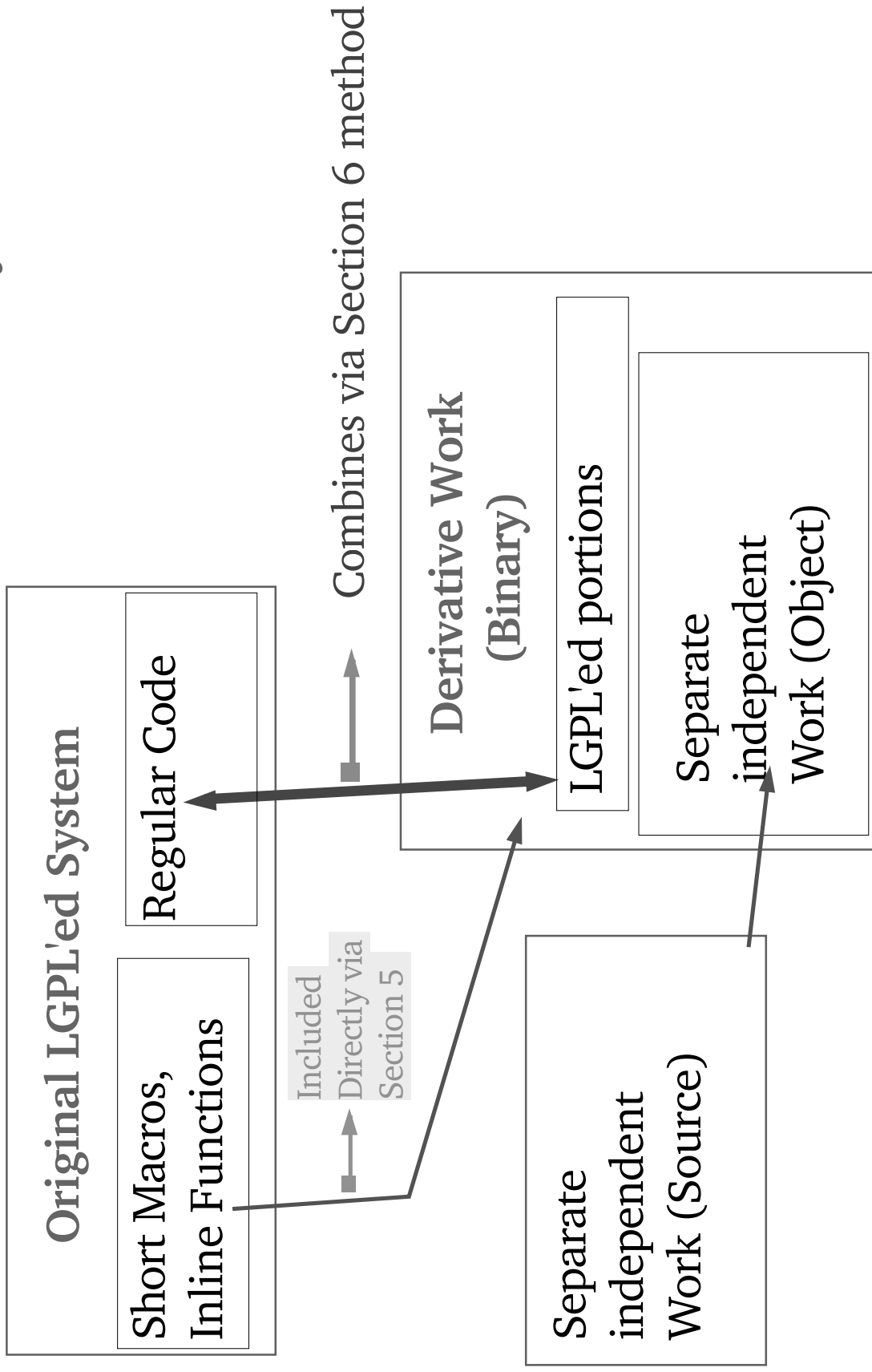
Original LGPL'ed System



Must LGPL changes made by modifying or adding to the work via a method other than simply linking with some separate work.

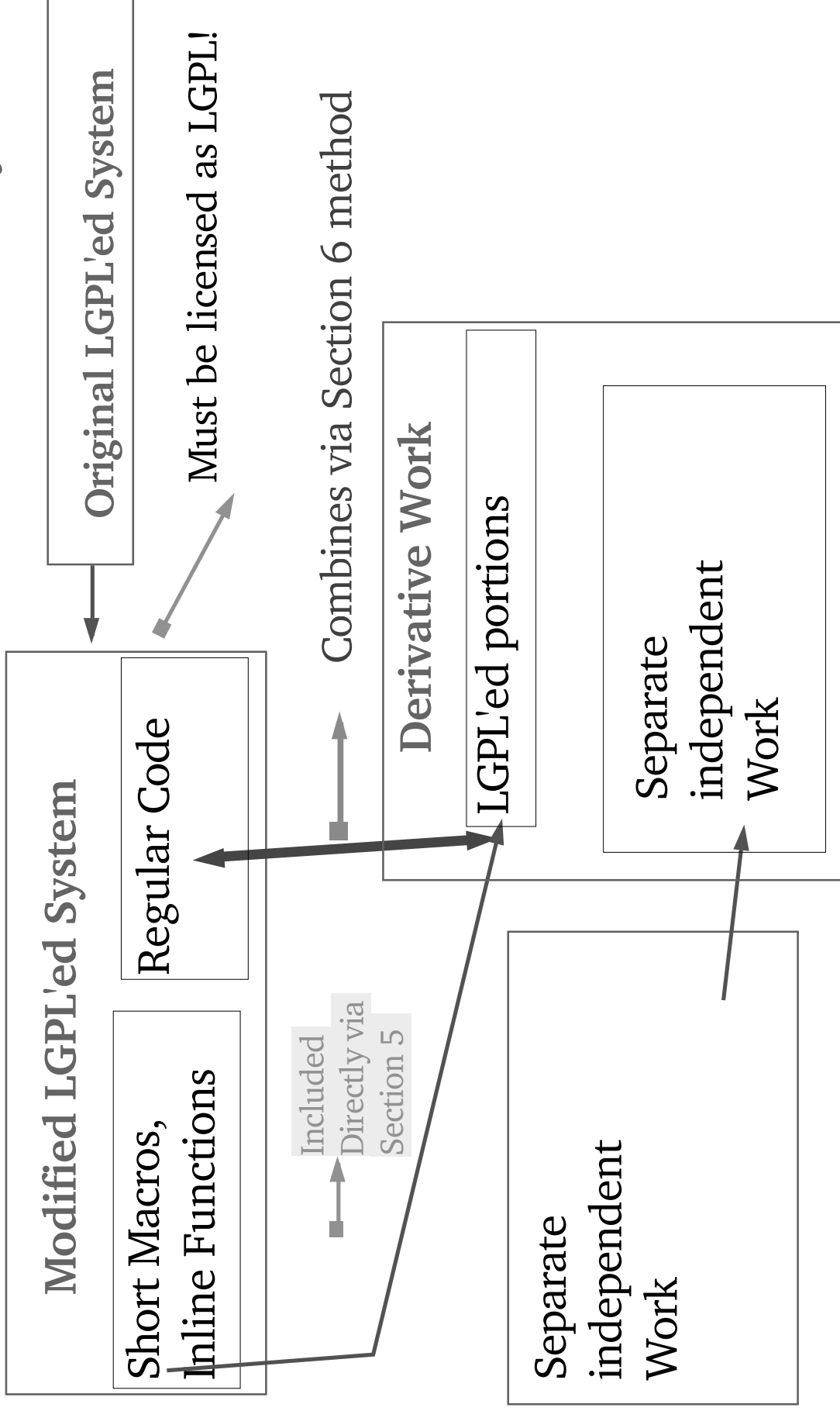
Directly Modified
LGPL'ed System

GNU LGPL "Works that uses the library"



GNU LGPL

"Work that uses and is based on library"



GNU LGPL

Section 6 Options

- dynamic linking: easiest and most straightforward
- allow user to relink: object code needed
- user must be able to debug modifications
- may require "chasing" a bug into separate work:
 - license must not restrict

GNU LGPL

... And the Rest

- "upgrade" from LGPL to GPL
- binary distribution only of library: Like GPL S. 3
- aggregating libraries: SDKs of mixed proprietary and

LGPL

- user must be informed of LGPL content



Common Business Models

- Installation and Configuration
- Support Contracts
- Customization and Improvement Contracts
- Sale of "box sets"
- Proprietary Relicensing

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Bradley M. Kuhn <bkuhn@fsf.org>
Executive Director, Free Software Foundation

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