

LICENSING FOR UNBUREAUCRATIC HUMANS



Presentation



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Angela

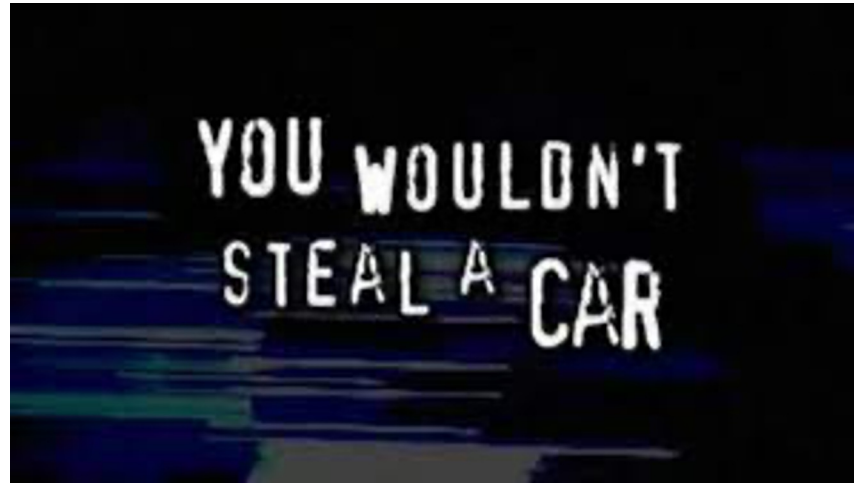


Disclaimer

- This presentation is made purely for educational purposes
- It does not constitute legal advice
- If you need legal advice, **please consult a lawyer!**



Let's talk philosophy



What's Open Source?

- Transparency
- Collaboration
- Freedom to (?)
- Community
- Sharing



Benefits of Open Source

- Innovation and rapid development
- High quality software
- Security through transparency
- Community (again!)
- **Cost effectiveness**



A series of old misconceptions

Open Source **does not mean** free

Open Source **is not less** secure

Open Source is sustainable



What's the catch?

There is no catch, there's just lack of knowledge

Open Source is licensed and you should know your licenses!



How can we know our licenses?



Agenda

- What is copyright?
- What is a license?
- Different types of licenses
- How to decide what is the right license to use for our project?



What is Copyright?

Copyright is a type of intellectual property that protects **creative works**

Book



Song



Sculpture



Movie



Photograph



Software



What is Copyright?

Copyright is a type of **intellectual property** that protects creative works



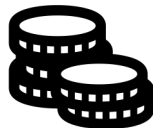
It's a kind of property that
includes **INTANGIBLE
CREATIONS**



What is Copyright?

Copyright treats intangible creative things as REAL things

Sale



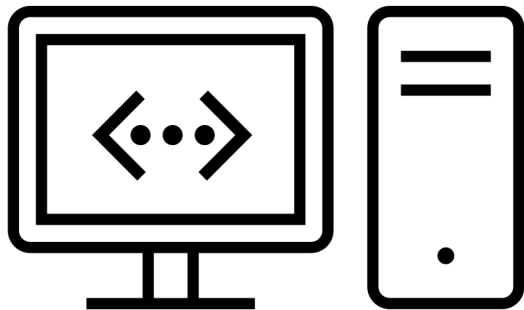
License



Protection



Are you always the owner of the code you write?



- Personal project
- Co-Creator
- Employees
- Freelancers

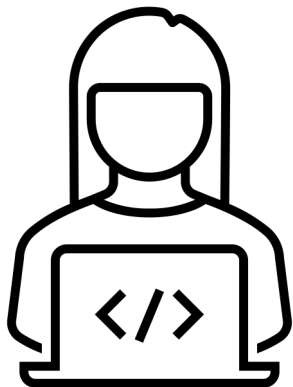


What is Copyright?

- Treats “CREATIVE THINGS” as PERSONAL PROPERTY
- Protects the EXPRESSION of ideas but not the ideas themselves
- Gives authors certain exclusive rights in their works for a limited time.



What can we do with our code?



- Proprietary Project
- Public Project
- Commercial Project
- **Open Source Project**



Open Source Initiative & Free Software Foundation

- They share a common interest in promoting software freedom and openness, but they have two **different philosophies** and approaches.

OSI

It means do whatever you want with your code and leave the freedom to others to decide what they want to do with your code

FSF

It means do whatever you want with your code but make sure that who use it keep it free



What is a license?

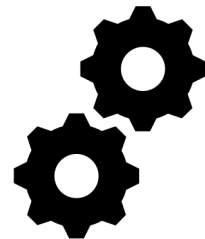
A license is an agreement with a set of permissions that author gives to someone else.

PERMISSIONS

- To use
- To modify
- To share

CONDITIONS

- Attribution
- Share Alike
- Whatever authors want

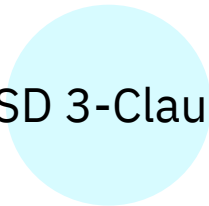


1. Permissive Licenses


- Do whatever you want
- Conditions and Terms
 - Attribution
 - Warranty Disclaimer



MIT



BSD 3-Clause



Apache 2.0



1. Permissive Licenses



MIT

“Hey, use my code, just give me credit and don’t sue me”

PERMISSIONS

- Commercial Use
- Distribution
- Modification
- Private Use

CONDITIONS

- Attribution

LIMITATIONS

- Warranty Disclaimer



1. Permissive Licenses **BSD 3-Clause**

Don't use the copyright owner's names or the contributors names to promote your project

PERMISSIONS

- Commercial Use
- Distribution
- Modification
- Private Use

CONDITIONS

- Attribution

LIMITATIONS

- Warranty Disclaimer



1. Permissive Licenses **Apache 2.0**

Contributors provide an express grant for patent rights

PERMISSIONS

- Commercial Use
- Distribution
- Modification
- Private Use
- Patent Clause

CONDITIONS

- Attribution
- Changes

LIMITATIONS

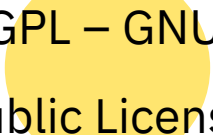
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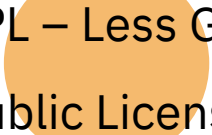
2. Copyleft Licenses

4 Freedoms:

1. The freedom to use the software as you wish for any purpose
2. The freedom to study and change it
3. The freedom to share it
4. The freedom to redistribute your changes



GPL – GNU
Public License



LGPL – Less GNU
Public License



AGPL – Affero GNU
Public License



GPL – GNU Public License

2. Copyleft Licenses

- If you redistribute the code, you must apply the same license of the original work on it
- Do not mix this license with any other

PERMISSIONS

- Commercial Use
- Distribution
- Modification
- Private Use
- Patent Clause

CONDITIONS

- Attribution
- Same License

LIMITATIONS

- Warranty Disclaimer



LGPL – Less GNU Public License

2. Copyleft Licenses

- The restrictive clause is only applied to the code that is under LGPL and share only the changes to the LGPL part.
- Can be part of a proprietary application

PERMISSIONS

- Commercial Use
- Distribution
- Modification
- Private Use
- Patent Clause

CONDITIONS

- Attribution
- Same License

LIMITATIONS

- Warranty Disclaimer



AGPL – Affero GNU Public License

2. Copyleft Licenses

If you run a modified program on a server, your server must also allow the users to download the source code

PERMISSIONS

- Commercial Use
- Distribution
- Modification
- Private Use
- Patent Clause

CONDITIONS

- Attribution
- Same License
- Network Distribution

LIMITATIONS

- Warranty Disclaimer



3. Non-Software Licenses

- Documentation
- Articles
- Tutorial/Video Tutorial



3. Non-Software Licenses



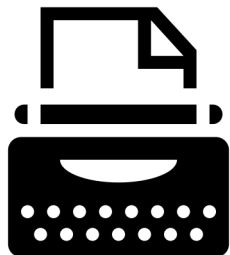
Creative
Commons Suite

- Attribution - people give you credit
- Non-Commercial – people can't make money off your work
- No Derivative – people can't change your work
- Share Alike – if people change your work, they must release it under the same license

Attribution is not optional and Share Alike and No Derivative are mutual exclusive



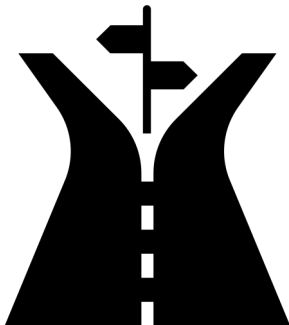
Contributions



- CONTRIBUTOR LICENSE AGREEMENT (CLA)
- COPYRIGHT ASSIGNMENT AGREEMENT (CAA)
- DEVELOPER'S CERTIFICATE OF ORIGIN (DCO)



How to decide the right license?



- What is the goal of your project?
- What type of community do you want to create around your project?
- License Compatibility



GitHub

Choosing the right license

We created choosealicense.com, to help you understand how to license your code. A software license tells others what they can and can't do with your source code, so it's important to make an informed decision.

You're under no obligation to choose a license. However, without a license, the default copyright laws apply, meaning that you retain all rights to your source code and no one may reproduce, distribute, or create derivative works from your work. If you're creating an open source project, we strongly encourage you to include an open source license. The [Open Source Guide](#) provides additional guidance on choosing the correct license for your project.

Note: If you publish your source code in a public repository on GitHub, according to the [Terms of Service](#), other users of GitHub.com have the right to view and fork your repository. If you have already created a repository and no longer want users to have access to the repository, you can make the repository private. When you change the visibility of a repository to private, existing forks or local copies created by other users will still exist. For more information, see "[Setting repository visibility](#)."



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Conclusions

- Remember **without a license no one has any rights to the software**
- **Be kind and respect others' decisions**
- On a bigger level open source licensing isn't just a checkbox to mark. It's a strategic decision that can empower developers, drive progress, and contribute to a vibrant global network of creators.





Open Source Day



Florence

07 - 08 March
2024



Free tickets available soon





Let's get in touch!



Angela



Lorenzo



{codemotion} CONFERENCE
MILAN 2023

Thank you!

