**CHECKLIST FOR SOFTWARE TO BE SHARED ON A NON-COMMERCIAL BASIS**

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| General information about the use of the checklist:  Software can be published or distributed by the Department without prior approval from DTU Legal & Tech Transfer - provided that you can **answer "No" to all items on this Checklist**.  Please ensure that the **management of your Department has approved** that the software has no commercial potential and can be made available on a non-commercial basis.  When distributing software according to this Checklist procedure, it is the responsibility of the Department to determine whether or not the software may be shared/published, including whether it can be published as open source software.  Additionally, it is the responsibility of the Department to ensure a **clear disclaimer of liability** when publishing software.  If the Department wishes to publish software under an open source license, you may seek inspiration from the open source licenses listed in DTU’s *Open Source guide*, which can be found under [About software - DTU Inside](https://www.inside.dtu.dk/en/medarbejder/forskning-innovation-og-raadgivning/forskningssamarbejde-jura-og-kontraktforhold/om-software); all licenses which are listed in the open source guide contain the required disclaimer of liability.  **If the answer to one or more of the questions below is Yes ->** please complete either a commercial og non-commercial SNF as applicable, and send it to [dtu-software@dtu.dk](mailto:dtu-software@dtu.dk) for approval prior to sharing your code (see more on: [About software - DTU Inside](https://www.inside.dtu.dk/en/medarbejder/forskning-innovation-og-raadgivning/forskningssamarbejde-jura-og-kontraktforhold/om-software?rfb=eyJwIjpmYWxzZSwidWlkIjoiMjYzMTA5ODgtYWViOS00YzAyLWI1ZWQtNDg0NDIwZTZjZGJhIiwic2NwIjoiaW50ZXJuYWwiLCJrYmlkIjozNTAsInNpZCI6Ikh3b1hzbEQtME1nZEE3RmhlbUtoUWciLCJhaWQiOjI1MzczMiwic2VjaWQiOjkyMTQzOTE1LCJzdCI6IndlYl9zY3JhcGUifQ)). |

**THE CHECKLIST:**

**Commercial potential?**  Yes /  No

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| Is there any potential for commercial use of the software? If there is no commercial potential of the software, please ensure documentation that your Department has approved (at appropriate management level, via the Innovation manager at your Department) that that there is no commercial potential of the software and that the software may be shared or published, e.g. under an open source license.  If yes, a commercial SNF must be completed ([Submit Software Notification - DTU Inside](https://www.inside.dtu.dk/en/medarbejder/forskning-innovation-og-raadgivning/patenter-opfindelser/patenter-og-software/anmeld-software)) and sent to Legal & Tech Transfer ([patentadm@dtu.dk](mailto:patentadm@dtu.dk)) for assessment before the software is published or made available in any other way. |

**Is the software subject to any contract or licensing terms?**  Yes /  No

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| Has the software been developed as part of a collaboration with a third party, e.g. under a collaboration agreement? Or is the software developed with funding from a grant, for which certain grant terms apply?  If **yes** to any of the above questions, there may be license conditions, rights options, or other terms that need legal review before the software is distributed. Therefore, please contact [dtu-software@dtu.dk](mailto:dtu-software@dtu.dk) and enclose a completed non-commercial SNF ([About software - DTU Inside](https://www.inside.dtu.dk/en/medarbejder/forskning-innovation-og-raadgivning/forskningssamarbejde-jura-og-kontraktforhold/om-software)). |

**Is the software developed with contributions from a student or any other third party?**   Yes /  No

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| Who has contributed to the development of the software? Is it exclusively DTU-employees who have contributed to the development of the software? Or have external / third parties contributed to the development? Such third parties could, for example, be master’s or bachelor’s students, visiting/guest researchers, consultants, subcontractors or other collaboration partners (e.g. employees of a company or of another research institution).  If anyone who is **not** an employee of DTU has contributed to the development of the code, please seek legal advice from [dtu-software@dtu.dk](mailto:dtu-software@dtu.dk) before publishing the software or otherwise making it available. Please enclose the non-commercial SNF ([About software - DTU Inside](https://www.inside.dtu.dk/en/medarbejder/forskning-innovation-og-raadgivning/forskningssamarbejde-jura-og-kontraktforhold/om-software)) in completed form.  It is not necessary to contact Legal & Tech Transfer in case you have already ensured sufficient clearance of any third party rights (e.g. by a student signing a declaration on transfer of rights (“G-declaration”), or by appropriate agreement with a third party – please contact the person responsible for contracts at your Department ([About Legal and Tech Transfer - DTU Inside](https://www.inside.dtu.dk/en/medarbejder/forskning-innovation-og-raadgivning/forskningssamarbejde-jura-og-kontraktforhold)). |

**Have any third-party components not licensed under the pre-approved permissive open-source licenses been used?**

**(See the list of *pre-approved permissive licenses* below)**  Yes /  No

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| Have any third-party components been used in the development of the software? Or is the software / code written and developed completely "from scratch" by employees of DTU?  **Third-party components** means any lines of code, components, libraries, etc. (either open source or proprietary elements). If third-party components that are not licensed under the pre-approved permissive open-source licenses listed below have been used – whether or not they are *integrated in* DTU’s software code, or whether they are *linked to* DTU’s code – you must complete the non-commercial SNF ([About software - DTU Inside](https://www.inside.dtu.dk/en/medarbejder/forskning-innovation-og-raadgivning/forskningssamarbejde-jura-og-kontraktforhold/om-software)) and send it to [dtu-software@dtu.dk](mailto:dtu-software@dtu.dk) for legal review. Please include details regarding the names of the components, their type, function and use, as well as the associated license terms.  ***Pre-approved permissive open-source licenses:***  If the third-party components used in the development of your software are all licensed under the following *pre-approved* *permissive open-source licenses,* you may answer "No” to this question in the checklist:   * [MIT License](https://choosealicense.com/licenses/mit/) * [BSD 3-Clause Clear License](https://choosealicense.com/licenses/bsd-3-clause-clear/) * [BSD 2-Clause ’simplified’ license](https://choosealicense.com/licenses/bsd-2-clause/) * [Apache 2.0](https://choosealicense.com/licenses/apache-2.0/)   **License terms:**  If you have used third-party components licensed under one or more of the licenses listed above, please make sure to comply with the license terms attached to each of the third-party components used in your code, including all necessary acknowledgements and disclaimers.  **Matlab:**  Please note that if you have used Matlab in the creation of your software, the answer to the above question is Yes and you have to complete an SNF. Find important information regarding the use of Matlab in the *Software FAQ* on [About software - DTU Inside](https://www.inside.dtu.dk/en/medarbejder/forskning-innovation-og-raadgivning/forskningssamarbejde-jura-og-kontraktforhold/om-software).  **Open-source guide:**  Read more about the individual open-source licenses and important considerations when choosing a license for your software in the *open-source guide*, which can be found on [About software - DTU Inside](https://www.inside.dtu.dk/en/medarbejder/forskning-innovation-og-raadgivning/forskningssamarbejde-jura-og-kontraktforhold/om-software). |

**IMPORTANT INFORMATION**

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* Regarding which **contributions** are relevant to the development of software, please see the FAQ under [About software - DTU Inside](https://www.inside.dtu.dk/en/medarbejder/forskning-innovation-og-raadgivning/forskningssamarbejde-jura-og-kontraktforhold/om-software?rfb=eyJwIjpmYWxzZSwidWlkIjoiMjYzMTA5ODgtYWViOS00YzAyLWI1ZWQtNDg0NDIwZTZjZGJhIiwic2NwIjoiaW50ZXJuYWwiLCJrYmlkIjozNTAsInNpZCI6Ikh3b1hzbEQtME1nZEE3RmhlbUtoUWciLCJhaWQiOjI1MzczMiwic2VjaWQiOjkyMTQzOTE1LCJzdCI6IndlYl9zY3JhcGUifQ).
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