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

Software without any commercial potential, which is developed exclusively by DTU-employees without the use of third-party components or -dependencies, and which is not developed as part of a collaboration agreement or subject to other terms, such as license terms, 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 guidelines', which can be found under About software - DTU Inside; all licenses which are listed in the open source guidelines contain the required disclaimer of liability.

Commercial potential?   ☐ Yes / ☒ No

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) and sent to *Legal & Tech Transfer* (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

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 and enclose a completed non-commercial SNF (About software - DTU Inside).

Is software developed with contributions from a student or any other third party?

☐ Yes / ☒ No

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 before publishing the software or otherwise making it available. Please enclose the non-commercial SNF (About software - DTU Inside) 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).

Have any third-party components been used?   ☐ Yes / ☒ No

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 of any kind 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) and send it to 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.

IMPORTANT INFORMATION

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[The original version of the software/this version of the software] was developed by [Name, Position, Department], [Name, Position, Department] and [Name, Position, Department].

Tips:

- In case of doubt about what should be considered as **software** covered by this Checklist, please see the FAQ under About software - DTU Inside.

- Regarding which **contributions** are relevant to the development of software, please see the FAQ under About software - DTU Inside.

- If the software is to be made available as **open source**, please see the open source guidelines on About software - DTU Inside.

- If software is to be made available on **GitHub or GitLab**, consider the possibility of using DTU's namespaces on GitHub and GitLab, respectively. Contact mycode@dtu.dk for more information.

- In case of any doubts or questions regarding software, please seek legal advice, e.g. regarding choice of appropriate license terms for your software. You are always welcome to contact Legal & Tech Transfer's software team at dtu-software@dtu.dk.

Approval of lack of commercial potential by software developer:

Name: Gabriel Cobos Tello   **Date:**   **Signature:**

12-Jan-2024

Approval of lack of commercial potential by department management:

Name: Allan Hornstrup   **Date:**   **Signature:**

12-Jan-2024   *Allan Hornstrup*