

# Worldwide AGPL Exception for Modifications for the Purposes of Flood Control, Security, and CAPTCHA Software Integration

Notice: This is a *draft* of the MFEK AGPL security exception v1.0. Its text is not yet final and may change significantly, pending community feedback. The repository will not be force pushed after 1fb598d, however, so if it already looks fine to you, feel free to use it.

## Preamble

I, [Author's Name], the author of the program entitled [Program's Name] (the "Program"), hereby grant the following exception on a worldwide, irrevocable, perpetual and unlimited basis for the said Program, which is licensed under the GNU Affero General Public License, version 3, or any later version (the "AGPL") as published by the Free Software Foundation. This Exception is intended to grant additional permissions to all users who incorporate flood control, security, or CAPTCHA software (the "Exempted Software") into the AGPL-licensed software (the "Program").

By exercising the Exception, you agree to comply with the terms and conditions below:

## 1. Definitions:

- (a) "Flood Control" refers to any software or measures designed to detect, mitigate, or prevent the excessive, repeated, or automated submission of data or requests, typically with the intent to disrupt the normal operation or functionality of a system or network.
- (b) "Security" refers to any software or measures designed to protect computer systems, networks, and their users from unauthorized access, exploitation, or harm, including but not limited to the confidentiality, integrity, and availability of information and resources.

- (c) “CAPTCHA” (Completely Automated Public Turing test to tell Computers and Humans Apart) refers to any software or measures designed to differentiate between human users and automated software, such as bots or scripts, by presenting tasks or challenges that are easily solvable by humans but difficult for machines to accomplish.
- (d) “Exempted Software” refers to any software written by end users that has as its primary purpose flood control, security, or functioning as a CAPTCHA.
- (e) “Share-Alike Provisions” refers to the sections of the AGPL that require derivative works to be distributed under the same license terms.

## **2. Grant of Exception:**

- (a) If you incorporate the Exempted Software into the Program, you may, at your option, exclude the Exempted Software from the Share-Alike Provisions of the AGPL.
- (b) This Exception grants you the right to distribute, copy, and modify the Exempted Software and the Program, without the requirement to follow the Share-Alike Provisions concerning the Exempted Software.
- (c) This Exception does not grant you any additional rights or permissions beyond those described in this document.

## **3. Conditions:**

- (a) The Exception applies only to the Exempted Software incorporated into the Program and does not extend to any other software or component of the Program.
- (b) You must include a copy of this Exception with the Program’s source code and in any documentation accompanying the Program or the Exempted Software.
- (c) If you modify the Exempted Software, the Exception shall only apply to the modifications if they maintain the primary purpose of flood control, security, or functioning as a CAPTCHA.

## **4. Termination:**

- (a) If you fail to comply with the terms and conditions of this Exception, it will automatically terminate and you will lose the rights granted by this Exception.

- (b) If you distribute the Exempted Software without this Exception, or if you remove this Exception from the Program, you will no longer have the rights granted by this Exception.

## 5. Disclaimer of Warranty and Limitation of Liability:

- (a) This Exception is provided “as is” without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.
- (b) In no event shall the authors or copyright holders of the Exception be liable for any claim, damages, or other liability, whether in an action of contract, tort, or otherwise, arising from, out of, or in connection with the Exception or the use or other dealings in the Exception.

## 6. Governing Law:

- (a) This Exception shall be governed by and interpreted in accordance with the laws of the jurisdiction in which the original licensors of the AGPL-licensed software reside, without regard to its conflict of law provisions.
- (b) Any disputes arising from this Exception shall be subject to the exclusive jurisdiction of the courts of the jurisdiction in which the original licensors of the AGPL-licensed software reside.

## Appendix A: About this document

This document, titled “Worldwide AGPL Exception for Modifications for the Purposes of Flood Control, Security, and CAPTCHA Software Integration,” is published by the Modular Font Editor K Foundation Inc., a New Jersey Non-Profit Corporation. This is Version 1.0 of the document and can be referred to in short as the “MFEK AGPL security exception v1.0”. Programs licensed under the AGPL and which use this exception may refer to themselves as “AGPLv $n$ +MFEK-Flood-Exception-v1.0” programs.

To use this Exception in your own programs, simply include a copy of the Exception in your project’s source code and any documentation accompanying your program. Be sure to replace [Author’s Name] and [Program’s Name] with your name and the name of your program, respectively.

For any inquiries or questions regarding this Exception, please contact:

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The most recent version can be found at [mfek.org/AGPL-Flood-Exception](http://mfek.org/AGPL-Flood-Exception).

DRAFT