Principles of copyright in software
Dr David A. Ham BSc LLB

Department of Computing, Imperial College London
david.ham@imperial.ac.uk

The core exclusive rights in software copyright

1. The right to make copies whether permanent or temporary, in particular this includes those copies required to load, display and run the program.

2. The right to translate, adapt, arrange or otherwise alter the program. In particular this includes compiling, decompiling and translating into another programming language.

3. The right to distribute to the public, including renting copies of the program.

Key copyright legislation

- Convention for the Protection of Literary and Artistic Works (Berne Convention) 1886
- Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS 1996)
- Directive on the Legal Protection of Computer Programs (the Software Directive) 2009/24/EC
- Information Society Directive Directive 2001/29/EC
- Urheberrechtsgesetz (URG) 1992

Exceptions to software copyright under the Software Directive

The right to use subject to licence terms.

The right to make a backup where necessary.

The right to observe, study and test [1]

The right to decompile In limited circumstances!

---

[1]Seemingly not explicitly in CH

The four freedoms of Free Software

Freedom 0 The freedom to run the program, for any purpose.

Freedom 1 The freedom to study how the program works, and change it so it does your computing as you wish. (Access to the source code is a precondition for this.)

Freedom 2 The freedom to redistribute copies so you can help your neighbor.

Freedom 3 The freedom to distribute copies of your modified versions to others. By doing this you can give the whole community a chance to benefit from your changes. (Access to the source code is a precondition for this.)

ParMETIS

ParMETIS

ParMETIS is copyrighted by the Regents of the University of Minnesota. It can be freely used for educational and research purposes by non-profit institutions and US government agencies only. Other organizations are allowed to use ParMETIS only for evaluation purposes, and any further uses will require prior approval. The software may not be sold or redistributed without prior approval. One may make copies of the software for their use provided that the copies, are not sold or distributed, are used under the same terms and conditions.[2]

---

[2] http://glaros.dtc.umn.edu/gkhome/metis/parmetis/download
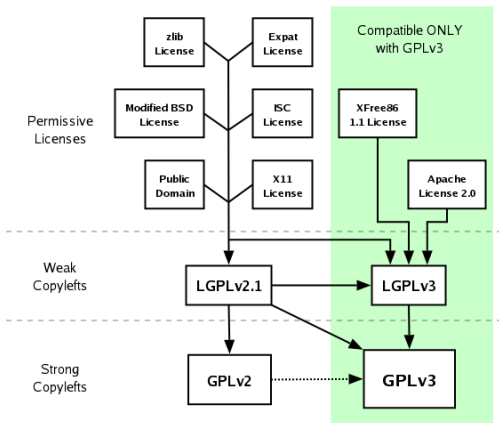
Core terms of the BSD licence

Redistribution and use in source and binary forms, with or without modification, are permitted provided that the following conditions are met:

- ▶ *Redistributions of source code must retain the above copyright notice, this list of conditions and the following disclaimer.*
- ▶ *Redistributions in binary form must reproduce the above copyright notice, this list of conditions and the following disclaimer in the documentation and/or other materials provided with the distribution.*[3]

---

[3]http://opensource.org/licenses/BSD-2-Clause

FSF Licence compatibility

GPL compatibility matrix. Note that GPL 3 is GPL 2-incompatible.
Figure from
`http://www.gnu.org/licenses/quick-guide-gplv3.html`.