

Suspicious regarding Magento licencing [closed]

Asked 13 years, 5 months ago Modified 7 years, 5 months ago

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I have been doing webdesign for a small business in Denmark, which already have a deal with a larger company to create the final site.

Among this company's proposal, I see that they charge a rather large fee for installing Magento on my client's server, and an additional fee to integrate the design.

Same company forbids my client from having FTP or similar access to the server, and they are therefore not able to install this themselves.

My question is : is resale of the Magento really allowed by the licence? This company wants to charge a rather steep amount for even installing a blank version of it, no Magento-licencing included.

I have looked larger company up, and this company does NOT have a standing licence for Magento. And even if they got one, I have a sneaky feeling that something is legal/licence wrong here.

The reason I share this with you is that I have a guts feeling that I should raise some critical questions and suggest that My client uses another company for their website, but I need to be certain that I'm on the right side.

The IT company has no partnership with Magento/Varien, and have a somewhat tarnished reputation already...

I have mailed Magento about this, but have not had any response yet.

magento

licensing

collaboration

fraud-prevention

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edited Jul 21, 2017 at 20:34



EJoshuaS - Stand with Ukraine


12.2k ● 61 ● 56 ● 84

asked Jul 10, 2011 at 21:10



Nils Munch

8,845 ● 11 ● 52 ● 103

Interesting, but not for SO :) As far as the "resale" of Ubuntu -
- there is none stated in the post. Host is charging for a service. Under the GPL they must *just* make the code available and not otherwise restrict the rights of said software. Host has right to keep full control of systems (no FTP, SSH, etc) if they wish. – user166390 Jul 10, 2011 at 21:17 

A brainfart in my post, i ment Magento – [Nils Munch](#) Jul 10, 2011 at 21:38

They're not reselling Magento, they're providing a service with terms. "We will install Magento on the computer you provide us, and we will provide some level of support. If you change anything via FTP access we withdraw that support".
– [Alana Storm](#) Jul 10, 2011 at 21:55

Ammending the above to include that I was talking about community edition. Reselling enterprise of professional edition would be another story (for another site)
– [Alana Storm](#) Jul 10, 2011 at 23:58

2 Answers

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4



Your question is not entirely clear. But a company can certainly charge for installing a licensed product on behalf of the licensee, this is just a consulting or service fee (unless the licence specifically prohibits a third party from doing this, which is possible (although unlikely) if a) source code is being exposed, or b) there are other commercial sensitivities such as NDAs. But then that is not your risk, it's the licensee's)

As for Ubuntu, a company can again charge for installing or maintaining an Ubuntu install, again this is consulting/service. In fact you can SELL a copy of Ubuntu too, if someone is willing to pay for it that is their prerogative (and they in turn can sell it themselves). You just have to provide the source and the licence, not just a compiled binary in order to comply with the GPL.

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edited Jul 10, 2011 at 21:25

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answered Jul 10, 2011 at 21:19



Richard H

39k ● 38 ● 114 ● 140

A brainfart in my post, i ment Magento – Nils Munch Jul 10, 2011 at 21:38



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I can understand the position of the 'large company' providing the managed hosting for the Magento build. However, I also understand your concerns.



Assuming that you are only working on the design, there is no reason why you cannot implement your design on localhost with the Magento 'demo store' products. You can then take your design along to the 'small company', get your designs signed off, archive the



/skin/frontend/default/macguffin and /app/design/frontend/default/macguffin folders, hand them

over to the company providing the 'managed hosting' and then collect your pay-cheque.

By not allowing you access via FTP the 'managed hosting' provider are ensuring that their clients have no third-parties able to access any-of-their-stuff.

Furthermore, design is not that big a deal in a Magento build, there is also the payment gateway, the shipping setup, analytics and everything else that happens on go-live. They are also taking the responsibility of providing uptime, availability and the aforementioned security.

You and I know that you can do all of that on a virtual-private-server and get it done in a matter of days, with lots of testing but no client liaison meetings, office overheads to pay for, an expensive project manager to explain everything to, excessive time-sheets to keep up to date and so on.

However, the 'small company' will have reservations on allowing someone other than the 'large company' doing all of that. Given that their web presence is pivotal to the success of their business, given that they may not have management resources, given the fear of the unknown, given a lack of in-house expertise, politically the solution they have arrived at can be considered as making business sense to them.

There is nothing wrong with the business arrangement from a legal/licensing point of view. From your point of view of getting the job done, you can do your design

offline, i.e. on localhost, deliver the deliverables and collect your cheque.

If the deal with the 'large company' does not work out then, if your work is good, you will be well placed to take on the project, to charge 'freelancer' rather than 'agency' rates and build a long term relationship with the 'small company'. However, you are not there yet, your best bet is to forge a close working relationship with the 'small company' and the 'large company'. For all you know, the 'large company' may have other clients, and, if you work well with them (i.e. drop the suspicions and animosity-from-the-outset), then you will possibly get other design work from their other clients.

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answered Jul 10, 2011 at 22:08

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[mathew](#)

4,022 ● 8 ● 33 ● 53
