# David T. Ashley

From: Harry Kitchen [hkitchen@columbus.rr.com]
Sent: Tuesday, December 03, 2002 6:52 PM

To: 'David T. Ashley'

Subject: RE: SAE Embedded Software Presentation Series - Harry Kitchen Slides

David - OK by me. - Harry

----Original Message-----

From: David T. Ashley [mailto:dtashley@esrg.org]

Sent: Tuesday, December 03, 2002 18:49

To: Harry Kitchen

Subject: RE: SAE Embedded Software Presentation Series - Harry Kitchen Slides

Hi Harry,

OK, I rolled the materials into the tool set. I've created a separate "default" license which the materials will fall under. I'm attaching the license text below. Please let me know if the license provisions are OK.

Best regards, Dave Ashley.

## **Default License**

### 1. NO WARRANTY

IN NO EVENT SHALL THE AUTHORS OR DISTRIBUTORS BE LIABLE TO ANY PARTY FOR DIRECT, INDIRECT, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES ARISING OUT OF THE USE OF THESE MATERIALS, OR ANY DERIVATIVES THEREOF, EVEN IF THE AUTHORS OR DISTRIBUTORS HAVE BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGE.

THE INFORMATION CONTAINED IN THESE MATERIALS IS NOT WARRANTIED TO BE CORRECT OR RELIABLE. THE AUTHORS AND DISTRIBUTORS SPECIFICALLY DISCLAIM ANY WARRANTIES, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NON-INFRINGEMENT. THIS MATERIAL IS PROVIDED ON AN "AS IS" BASIS, AND THE AUTHORS AND DISTRIBUTORS HAVE NO OBLIGATION TO PROVIDE MAINTENANCE, SUPPORT, UPDATES, ENHANCEMENTS, OR MODIFICATIONS.

#### 2. NO MODIFICATION OF MATERIALS

THE MATERIALS DISTRIBUTED UNDER THIS DEFAULT LICENSE MAY NOT BE MODIFIED IN ANY WAY.

#### 3. NO SALE OF MATERIALS

CASH OR ITS EQUIVALENT MAY NOT BE CHARGED FOR ELECTRONIC ACCESS TO THE MATERIALS DISTRIBUTED UNDER THIS DEFAULT LICENSE (THIS MEANS, FOR EXAMPLE, THAT IF THESE MATERIALS ARE PLACED ON A WEB SITE OR FTP SERVER, ACCESS TO THESE MATERIALS MUST BE FREE). IF THESE MATERIALS ARE DISTRIBUTED IN PAPER FORM OR ON COMPUTER MEDIA (DISKETTES, CD, ETC.), NO AMOUNT MAY BE CHARGED BEYOND 200% OF THE COPYING CHARGE OR COST OF THE COMPUTER MEDIA.

\_

#### 4. NO FURTHER RESTRICTIONS

THERE ARE NO FURTHER RESTRICTIONS WHATSOEVER ("FURTHER" MEANS BEYOND SECTIONS 1, 2, AND 3, IMMEDIATELY ABOVE) PLACED ON THE USE OR DISTRIBUTION OF THESE MATERIALS.

----Original Message-----

From: Harry Kitchen [mailto:hkitchen@columbus.rr.com]

Sent: Tuesday, December 03, 2002 5:27 PM

**To:** 'David T. Ashley' **Cc:** Bruce Emaus

Subject: RE: SAE Embedded Software Presentation Series - Harry Kitchen Slides

David-

I understand the question was publication of the promotional material in HK-0211.ppt.

Of course, you can distribute it at will. Since I already placed it in the public domain by distributing it to SAE without a copyright notice, there are no restrictions on further distribution. I would just request that it be distributed without modification.

Hope this helps.

--Harry Kitchen 614-538-9808

----Original Message-----

From: David T. Ashley [mailto:dtashley@esrg.org]

Sent: Tuesday, December 03, 2002 14:54

**To:** Harry Kitchen **Cc:** Bruce Emaus

Subject: RE: SAE Embedded Software Presentation Series - Harry Kitchen Slides

Hi Harry,

Sorry, we've had a bit of a communication mixup, and it was my fault.

You wrote this:

Also, if you wish, please feel free to post the non-copyrighted material (i.e., my promo slides) anywhere you wish, so long as it remains intact. I am attaching a version of that with the typos (hopefully) removed.

I wrote "presentation" when in fact I should have used the term "promo slides". In my limited vocabulary, anything done in PowerPoint is a "presentation". Sorry, that was my goof.

I do understand that your presentation is not available. However, I would be interested in including your promo slides with the tool set. The reason is that it may allow a company with pressing development needs to become aware of you and get in touch with you quickly.

My question for you is what terms you would want in the license that accompanies the tool set. Here are my thoughts:

a)If I'm reading what you wrote correctly, by "intact" you mean "no modification".

b)May people redistribute your promo slides unmodified without restriction?

c)Are there any other restrictions you want?

My only question is about the licensing terms for the promo slides.

Sorry for the vocabulary mixup. I wrote "presentation" when I meant "promo slides".

Best regards, Dave Ashley.

----Original Message-----

**From:** Harry Kitchen [mailto:hkitchen@columbus.rr.com]

Sent: Tuesday, December 03, 2002 2:30 PM

**To:** 'David T. Ashley' **Cc:** Bruce Emaus

Subject: RE: SAE Embedded Software Presentation Series - Harry Kitchen Slides

David-

Just to clarify, permission is <u>not</u> granted to publish or further distribute my presentation of November 8 in any form.

If and when we arrange a different presentation at Wayne State University, I will furnish you with appropriate copyright terms and permissions. They will <u>not</u> include placing the material in the public domain.

If the latter terms are acceptable to you, please let me know and I will provide a list of suggested topics for a new two-hour presentation.

--Harry Kitchen 614-538-9808

----Original Message-----

From: David T. Ashley [mailto:dtashley@esrg.org]

**Sent:** Monday, December 02, 2002 20:02

To: Harry Kitchen Cc: Bruce Emaus

Subject: RE: SAE Embedded Software Presentation Series - Harry Kitchen Slides

Hi Harry,

Thanks for your e-mail. What you have proposed meets our needs perfectly. With the tool set distribution, I'd like to include both technical resources (i.e. technical papers) and also contact information for people who may have insight into problems and may be able to bail manufacturers out of software development difficulties.

Your presentation is very impressive, and it may cause companies with embedded system development needs to contact you.

Would it be OK to place this presentation under the GPL? I'm currently working with the the university lawyers on a license for our tool set. The lawyers will tweak it a bit, but essentially the license (prototype attached) breaks the tool set down into categories. Should your presentation be a separate category?

I think how to word the license is the only real issue. Please let me know your thoughts.

Attachment.

Best regards, Dave.

----Original Message-----

**From:** Harry Kitchen [mailto:hkitchen@columbus.rr.com]

Sent: Monday, December 02, 2002 4:40 PM

**To:** 'David T. Ashley' **Cc:** Bruce Emaus

Subject: RE: SAE Embedded Software Presentation Series - Harry Kitchen Slides

David-

I would prefer not to permit secondary licensing of the copyrighted material from my SAE presentation of November 8. I authorized Bruce to distribute it to the list from which presentation invitations were sent, but no sublicensing was intended. I am building a complete seminar from that material, with possible involvement of a third-party presentation team, and any further publication would possibly dilute its value as intellectual property.

What I can do is to prepare a relevant presentation for your group (I am assuming that "our" means Wayne State University's Computer Science Department). If you can bring a minimum of ten people together for an afternoon or evening, for about two hours, then you could post the slides from that new one on your site.

Also, if you wish, please feel free to post the non-copyrighted material (i.e., my promo slides) anywhere you wish, so long as it remains intact. I am attaching a version of that with the typos (hopefully) removed.

I'm sorry I can't fully comply with your request, but I hope I've presented a usable alternative. And I am continuing to look for ways we can collaborate, per your original message. I have a long list of material that can be shared, and I hope we can work together in that regard.

Regards,

Harry Kitchen 614-538-9808

----Original Message-----

From: David T. Ashley [mailto:dtashley@esrg.org]

**Sent:** Thursday, November 28, 2002 15:45 **To:** Emaus, Bruce; hkitchen@columbus.rr.com

**Subject:** RE: SAE Embedded Software Presentation Series - Harry Kitchen

Slides

Dear Harry and Bruce,

May I have your permission to:

a)Place these documents under our version control system here (which makes them automatically visible on the web)?

b)Include them in our tool set distribution (they will not be modified in any way, and we can accept updates at any time)?

A sample prototype distribution for Windows is here:

http://www.esrg.org/downloads/esrg\_ts\_v\_1\_06/esrg\_ts\_v1\_06.exe

We would like to include as many technical papers and useful info as we can. It may also get Harry referrals.

Thank you, Dave.

----Original Message----

**From:** Emaus, Bruce [mailto:Bruce.Emaus@vector-cantech.com]

Sent: Monday, November 25, 2002 1:12 PM

To: SAE Helper

**Subject:** SAE Embedded Software Presentation Series - Harry Kitchen

Slides

SAE Embedded Software Presentation Series November 8th Harry Kitchen Slides

<<harry\_kitchen\_0211.ppt>> <<sae\_presentation\_harry\_ktichen\_0211.ppt>>