



FINOS InnerSource Special Interest Group

Licensing Working Group Kickoff
7-Nov-2022

Chair: Chamindra de Silva (<https://github.com/chamindra>)

Agenda



- Roll-call and Intros
- Introduction to working group goals
- Discuss key outcomes and deliverables
- Discuss minutes from FINOS OSPO roundtable
- Calling for prior work and contributions
- Contribution opportunities
- Agree on collaboration model
- Next Steps, Next meeting and Adjourn

Advantages to Adopting a Popular Open Source License

- Proven in court in defending the rights
 - Easily referenceable for companies for the enforcement of Law
 - Less money spent defending it by Copyright holder
- Popularity build better understood at **ground level by developers** on correct use as legal terms are not the easiest to decipher
- No additional legal cost to create “own” Inner Source license
 - Review process of weather it really is classified as “Open Source” or “Inner Source”

	e.g., used by	2017 (%)
MIT License	<i>jQuery</i>	32
GPL 2.0	<i>Linux kernel</i>	18
Apache License 2.0	<i>Android, Apache</i>	14
GPL 3.0	GNU	7
BSD License 2.0 (3c)	<i>Chromium, WebKit</i>	6
Lesser GPL 2.1 / 3.0	<i>VLC Media Player</i>	6

Recent Example May 2022: https://www.theregister.com/2022/05/16/vizio_gpl_contract/

Fine-print crucially deemed contractual agreement as well as copyright license in smartTV source-code case

Thomas Claburn in San Francisco

Mon 16 May 2022 // 23:36 UTC

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The Software Freedom Conservancy (SFC) has won a significant legal victory in its ongoing effort to force Vizio to publish the source code of its SmartCast TV software, which is said to contain GPLv2 and LGPLv2.1 copyleft-licensed components.

Problem Statement



- There is no similar set of Licenses for Inner Source for companies to easily adopt
 - They need to spend money to define an unproven license for their inner source products
- There is confusion between employees and vendors on the difference between inner source and open source and what is permissive use due to lack of popular licenses
- Inner Source rights differ from Open Source in terms of boundary conditions which add conditions
- Incentive mechanisms such as attribution and share-alike need to be re-defined within an organizational context for it to be effective especially with Financial organizations

How can the Terms differ in Inner Source

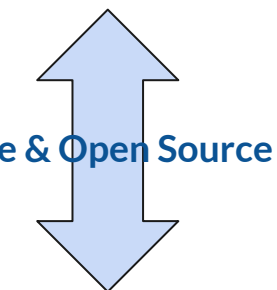
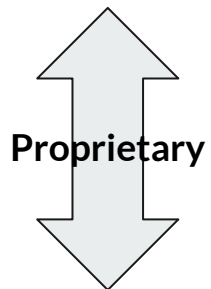


- **Boundary conditions** for permissive use are different
 - Enterprise and Partner Boundary conditions on Freedoms need to be incorporated
- **Enterprise Incentive mechanisms** are different
 - Incentives for contributors are aligned to recognition for progression within enterprise
- **Right not to be mentioned (anti-attribution pattern)**
 - Public attribution might be discouraged to limit liability
- **Profiling vulnerability** in Financial domain especially
 - Some protection against profiling security vulnerabilities, by ensure any references of use are not allowed to propagate
- **Warranty and Liability**
 - We might want to Increase warranty and support conditions internally
- **Contributor License Agreements**

Where does it fit in the spectrum



Inner Source is a stepping stone and proving ground for Open Source enablement



Proprietary Commercial (e.g Microsoft EULA)

Freeware - Free to use, no access to source

Restrictive Access Source (e.g. MS-PL, MS-CI)

Inner Source License

Strong Copyleft (e.g GPL, AGPL)

Weak Copyleft (e.g. LGPL, Mozilla PL)


Permissive (e.g BSD, Apache, MIT)

Public Domain

Constructing an a-la-cart license CC style

Choose a license

This chooser helps you determine which Creative Commons License is right for you in a few easy steps. If you are new to Creative Commons, you may also want to read [Licensing Considerations](#) before you [get started](#).



Choose Features → **Optional Info** → **Get License**

[Get Started](#)

Reference: <https://creativecommons.org/share-your-work/>

License Features

Your choices on this panel will update the other panels on this page.

Allow adaptations of your work to be shared?



Yes



No



Yes, as long as others share alike

Allow commercial uses of your work?



Yes



No

Prior Work



- Inner Source Commons: Inner Source license pattern
<https://patterns.innersourcecommons.org/p/innersource-license>
- Create innersource-contractor-model-terms
<https://github.com/InnerSourceCommons/InnerSourcePatterns/pull/378>
- Create transitioning-contractor-code-to-innersource-model
<https://github.com/InnerSourceCommons/InnerSourcePatterns/pull/377>
- FinOS OSLC Handbook
<https://osr.finos.org/docs/osr-resources/oslc-licenses>

Proposed Deliverables

- A set of **base Inner source licenses** that we can consume in the financial industry
- A **base CLA agreement**

Or

- A **peer reviewed guideline** for constructing inner source licenses and CLAs

Approach

1. Invite representatives from OSPOs/Inner Source that typically govern inner source
2. Identify common rights and conditions
3. Draft inner source license and CLAs
4. Reviews by experts
5. Publishing of DRAFT license on FinOS for comment



Poll - Deliverables



	Inner Source Deliverables	Notes	Org Votes	Contributor Votes
1	Inner Source License(s)	- Well defined evidence		
2	License Generator (CC)	- flexible Internal or external (peter) Need an easy button (girish)	3	4
3	Contributor License Agreement	- tentatively added Elispeth and Chamindra vote here post meeting	2	2
4	Licence template and guideline			
5	<other?>	No other options were mentioned		

Contributor Opportunities



1. (Obfuscated) Inner Source license templates
2. Facilitating Internal review with your org / OSPO <- *Requested contribution from all*
3. Research
4. Contribution to drafting the wording of License and CLAs
5. Open Source Legal review (Linux foundation) <- *Contribution from FinOS*
6. license generator code <- *Peter, Chamindra would be interested to contribute*

Poll - Collaboration



	Collaboration model	Frequency	Notes	Org Votes	Contributor Votes
1	1 hour Bi-Weekly Meetings - selected	2 weeks	Voted: Girish, Peter, Danielle, James, Katrina, Chamindra	5	6
2	2 hour Workshops	monthly	No votes		
3	WIKI / Confluence X	on-demand	Not available		
4	MD Files / Git hub - selected	on-demand	For final deliverable		
5	Google Docs X	on-demand	No allowed in some orgs		
6	FinOS Slack (IM)	Real-time	Not utilized presently		
7	GIT discussions - selected	on-demand	Recommended by FinOS		

Next Steps

1. Agree on next meeting date/time - All - 21st Nov at 4pm BST
2. Share (Obfuscated) Inner Source licenses - All
3. Share prior work done and add references - All
4. Minutes into agenda issue - Chamindra
5. Publish powerpoint slides as PDF - Chamindra/James
6. Initiate initial issues to discuss items for next meeting - Chamindra

Contributor License Agreements



- In addition to the clarity of right provided by a license it is also important to have some governance that the code being contributed by employees and often vendors does not conflict with the goals of the license
- For this a Inner Source Contributor License agreement would be valuable in

References



- [1] <https://patterns.innersourcecommons.org/p/innersource-license>
- [2] <https://creativecommons.org/share-your-work/>
- [3] <https://www.gnu.org/philosophy/free-sw.html#four-freedoms>
- [4] <https://fsfe.org/freesoftware/>
- [5] https://www.theregister.com/2022/05/16/vizio_gpl_contract/
- [6] <https://opensource.org/licenses>
- [7] <https://opensource.org/osd-annotated>
- [8] https://www.researchgate.net/figure/The-most-used-OSS-licenses-worldwide-Black-Duck-Knowledgebase-status-1-2018_tbl2_329040561
- [9] <https://osr.finos.org/docs/osr-resources/oslc-licenses>