

# **Third Party Licensing Uses**

**for**



## **BRAIN STATION 23**

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**(Privacy: Private)**

## DOCUMENT CONTROL

### A. Document Information

<b>Document Name</b>	Third Party Licensing Uses
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### D. Document History

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\* A= Added, M= Modified, D= Deleted, N= New Published

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## 1 Purpose

At Brain Station 23, we will use licensed and open-source software and libraries. This policy outlines the guidelines for selecting, using, and attributing open-source software and libraries (we will refer to it as OSS in this document) within the organization to ensure compliance with legal, security, and operational standards.

## 2 Scope

This policy applies to all employees and contractors involved in software development, maintenance, or distribution within the organization.

## 3 Approved License Types

The following open-source licenses are generally approved for use within the organization:

### 3.1 Permissive Licenses

Permissive licenses allow maximum flexibility for use, modification, and distribution. They are typically preferred for use within the organization.

- **MIT License:** Allows commercial use, modification, distribution, and private use with minimal requirements (e.g., including the original license and copyright notice).
- **Apache License 2.0:** Allows commercial use, distribution, modification, and private use. Includes an explicit grant of patent rights from contributors.
- **BSD License (2-Clause, 3-Clause):** Similar to the MIT License, with minimal restrictions. The 3-Clause license includes an additional clause preventing endorsement by the original authors.

### 3.2 Weak Copyleft Licenses

Weak copyleft licenses require changes to the library itself to be open source but allow software that merely links to the library to remain proprietary.

- **GNU Lesser General Public License (LGPL):** Allows linking to the library in proprietary software, provided modifications to the LGPL-licensed library are made available under the same license.
- **Mozilla Public License (MPL) 2.0:** Similar to the LGPL, but applies on a file-by-file basis, making it more flexible for proprietary software integration.

## 4 License Types Requiring Careful Consideration

### 4.1 Strong Copyleft Licenses

Strong copyleft licenses require that any derivative work or software incorporating the licensed code be released under the same license, which can conflict with proprietary software development.

- **GNU General Public License (GPL) v2/v3:** Requires that any software incorporating GPL-licensed code also be released under the GPL. This can affect the ability to keep software proprietary.
- **GNU Affero General Public License (AGPL):** Similar to the GPL, but also requires making the source code available when the software is used over a network (e.g., SaaS applications).

**Policy:** Usage of software under these licenses requires explicit approval from the [Legal/Compliance Department] due to the impact on software distribution and intellectual property.

## 4.2 Other Licenses

- **Creative Commons Licenses:** Generally used for media and documentation, not software.  
Ensure that the specific Creative Commons license is suitable for the intended use.
- **Unlicensed Software:** OSS without a license should be avoided, as the legal terms are unclear.

# 5 Evaluation Criteria for Open-Source Software or Library

Before adopting any open-source software or library, the following parameters must be evaluated:

## 5.1 License Review

- Verify that the OSS license is listed in the approved license types.
- Check for restrictions on commercial use, distribution, modification, and patent rights.

## 5.2 Security

- Perform a security assessment, including vulnerability scanning.
- Evaluate the frequency of updates and the maintainer's response to security issues.

## 5.3 Community and Maintenance

- Evaluate the size and activity level of the software's community.
- Review the project's commit and release frequency to ensure active maintenance.
- Assess the quality of documentation and support channels (e.g., forums, mailing lists).

## 5.4 Compatibility and Integration

- Ensure the OSS is compatible with the organization's software stack.
- Review the dependencies to avoid additional risks.

# 6 Attribution and Compliance

When using OSS, comply with the attribution requirements specified in the license. Follow these guidelines:

## 6.1 Giving Credit

- **MIT License:** Include the license text and copyright notice in the software documentation.
- **Apache License 2.0:** Include a NOTICE file if the original software includes one, in addition to the license text.
- **LGPL/MPL:** Document any modifications to the library and include the license text.

## 6.2 Documentation

- Maintain a record of all OSS used, including version numbers and license types.
- Document any modifications to the OSS.

## 7 Approval Process

- Team members who identify the need for an open-source software or library, will reach out to the SBU head for approval of use. If this is already used in other places, then it is already approved.
- Upon approval from the SBU head, team members can use it. SBU head will record the OSS for future reference.
- The cases where the SBU head can't decide for approval based on the guidelines of this document, will consult the CTO for approval.

## 8 Policy Compliance

Non-compliance with this policy may result in disciplinary action and remediation to ensure compliance.

## 9 Review and Updates

This policy will be reviewed annually or as required to accommodate changes in open-source licensing, legal requirements, or organizational needs.

## 10 References and Documents

### 10.1 References

- ISO 9001:2015, Clause 8.4 – Control of externally provided processes, products and services

### 10.2 Documents

- List of approved third-party software or component