

# 開源管理辦公室職掌的法務要點

Legal Considerations for Open Source Program Office Collaboration

v.20250807

群牧開源管理顧問有限公司 / 鈞理知識產權事務所 法制顧問

Legal Adviser @ Herding Open Source Management Consultants Ltd. & Gemly Int'l IPR Office

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COSCUP x RubyConf Taiwan 2025 - Track: 開放授權的克萊兜史夠普 / Open Licensing Kaleidoscope

2025.08.09

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# 林誠夏 / Lucien C.H. Lin

本職：

- 1、群牧開源管理顧問有限公司 / 鈞理知識產權事務所 法制顧問
- 2、CC Taiwan Chapter Lead 、台灣開源法律網絡 共同創辦人
- 3、究心公益股份有限公司獨立董事

歷任與現任：

- 1、行政院、國發會、文化部、故宮博物院、考試院、銓敘部政府資料開放諮詢小組會議委員
- 2、臺北市政府公共參與組市政顧問

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# 林誠夏 / Lucien C.H. Lin

## Current Positions:

1. Legal Advisor, **Herding** Open Source Management Consultants Ltd. / **Gemly** International Patent & Trademark Office
2. Chapter Lead of Creative Commons Taiwan; Co-founder, Open Source Legal Network Taiwan
3. Independent Director, GeoThings Inc.

## Previous and Current Roles:

1. Civilian Representative Member of Government Open Data Advisory Committees for the Executive Yuan, National Development Council, Ministry of Culture, National Palace Museum, Examination Yuan, and Ministry of Civil Service.
2. Municipal Advisor, Public Participation Section, Taipei City Government

<http://tw.linkedin.com/in/lucienchlin>

# 綱要

1. 建立與維護版本控制系統（ Version Control Systems, **VCS** ）；
2. 在開源政策中明列容許清單（ **Approval List** ）與排除清單（ **Rejected List** ）；
3. 建立上游貢獻（ **upstream** ）規範與審查流程；
4. 正確認識並回應 **Copyleft** 授權條款的特性與合規要求。

# Outline

1. Establish and maintain Version Control Systems (**VCS**);
2. Define explicit **Approval** and **Rejected** Lists within open source policies;
3. Develop **upstream** contribution guidelines and review processes;
4. Understand and properly respond to the binding obligations and compliance requirements of **Copyleft** licenses.

# 開源絕對可以商用

Open source can definitely be used for commercial purposes,

然亦必須遵守規則

but the rules must be followed.

- 此處指的是符合 FSD 或 OSD 的授權軟體

— Here, this refers to software licensed under licenses compliant with the Free Software Definition (FSD) or the Open Source Definition (OSD).

# 商務使用**開源軟體**的義務與權利

Obligations and Rights When Using Open Source Software for Business

## 義務 Obligations

- 1 、做好相關標示 Copyright Notice + Disclaimer + License Text
- 2 、提供相對應必要源碼 Corresponding Source

## 權利 Rights

- 3 、之後，就能做幾乎**任何事情**

Afterwards, you are free to do almost anything with it

# Commingled World

程式碼多元混用的世界

A world of diverse, mixed software models

商務訂購、部分元件開源

Commercial subscriptions with some components open source

主體開源、增效非開源

Core software is open source, while enhancements are proprietary

主體開源、搭配提供的雲端編譯服務及工具非開源

Core software is open source, paired with proprietary cloud services and tools

Open Source + Shareware

# 開源軟體的義務要求、多始於散布

The obligations of open source software often **begin with distribution.**

**提供**程式源碼 ≠ **公開**程式源碼

**Providing** source code ≠ **Making** source code **public**

即使是 GPL/AGPL 也能容納內部使用的法則

Even the GPL/AGPL allows for internal use without triggering obligations.

注意 **AGPL-3.0** 在雲端應用上的突破 (**modified + cloud**)

Note AGPL-3.0's breakthrough regarding cloud-based applications.

## Does GPLv3 require that voters be able to modify the software running in a voting machine? (#v3VotingMachine)

No. Companies distributing devices that include software under GPLv3 are at most required to provide the source and Installation Information for the software to people who possess a copy of the object code. The voter who uses a voting machine (like any other kiosk) doesn't get possession of it, not even temporarily, so the voter also does not get possession of the binary software in it.

Note, however, that voting is a very special case. Just because the software in a computer is free does not mean you can trust the computer for voting. We believe that computers cannot be trusted for voting. Voting should be done on paper.

## Does GPLv3 have a “patent retaliation clause” ? (#v3PatentRetaliation)

In effect, yes. Section 10 prohibits people who convey the software from filing patent suits against other licensees. If someone did so anyway section 8 explains how they

<https://www.gnu.org/licenses/gpl-faq.en.html#v3VotingMachine>

# Scenarios

- FOSS → non-FOSS-- **private repos**
  - **Copyleft** → **Internal-use Only**
  - **Permissive** → **CD, License text & proper attribution**
- FOSS → FOSS-- **public repos or shared repos**
  - **Fork** → **change project name / add to contribution.txt**
  - **Migrate** → **CD, License text or changed license text & proper attribution**

做好**開源管理**

**才有機會做好第三方軟體管理**

A good **open source management** practice  
is the foundation for effective **third-party software management.**

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Open Compliance Directory

Developers and projects occasionally need to contact companies to discuss compliance issues but face challenges connecting with the right people. The Linux Foundation has created a directory of compliance officers at companies using open source so that communication can be eased, information related to licenses can be easily disseminated and actions can be coordinated.



<https://compliance.linuxfoundation.org/references/open-compliance-directory/>



Marvel's 'Thunderbolts', FAIR USE @ <https://maxblizz.com/marvels-thunderbolts-digital-release-date-revealed/>

# 開源管理辦公室

## 的職掌與運作模式

The Roles and Operational Models of an Open Source Program Office  
(OSPO)

≡ Open Source Program Office

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From Wikipedia, the free encyclopedia

An **Open Source Program Office** (OSPO) is a department formed by subject-matter experts involved in free and open software. This team may also oversee the operation of open standards and Digital public goods. It often includes an understanding of legal compliance issues and risk management, but is not limited to this. OSPOs can also play a role in culture change within an organization.

## Details [edit]

Numerous companies have OSPOs, such as [Yahoo!](#),<sup>[1]</sup> [Goldman Sachs](#),<sup>[2]</sup> [Bloomberg L.P.](#), [Comcast](#) or [Porsche](#),<sup>[3]</sup> and universities like [Trinity College Dublin](#),<sup>[4]</sup> the [University of Vermont](#),<sup>[5]</sup> or [Johns Hopkins University](#).<sup>[6]</sup> The US Government's Centers for Medicare & Medicaid Services has also established an OSPO to help them improve organizational effectiveness.<sup>[7][8]</sup>

TODO Group // Talk

todo.org

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# TALK OPENLY DEVELOP OPENLY

For open source practitioners committed to Open Source Program Offices (OSPO).

TODO is an open community of practitioners who aim to create and share knowledge, collaborate on practices, tools, and other ways to run successful and effective Open Source Program Offices and similar Open Source initiatives. TODO Group is formed by its [Community](#) participants and ambassadors [OSPO Associates](#) and [General Members](#).



<https://todogroup.org/>

**Files**

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## What's This Book About?

Open source is a reality for all organizations that work with software — not just for software companies. Because of this, actively managing open source is becoming increasingly important for many organizations.

One way to manage open source is by setting up an Open Source Program Office (OSPO). Many companies and organizations have adopted this approach, and there is now a lot of shared experience and knowledge about how to do it successfully. In the open source spirit, much of this knowledge is openly available in the community.

This book provides a clear introduction for anyone who wants to understand how OSPOs help organizations manage open source. It's also a helpful resource for people already working in OSPOs who want to strengthen their role in shaping and managing open source strategy and operations. The book offers practical advice on topics such as:

- Building an open source strategy.
- Setting up an OSPO.
- Managing day-to-day operations.
- Collaborating effectively with external open source communities.

## What's Not in This Book

OSPO Book: <https://github.com/todogroup/ospology/blob/main/ospo-book/content/en/00-chapter.md>

Ifr\_ospo24\_111824.x

https://www.linuxfoundation.org/hubfs/LF Research/Ifr\_ospo24\_111824.pdf?hsLa

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# *The 2024 State of OSPOs and Open Source Management*

## New Horizons for OSPOs in Small and Medium Organizations

November 2024



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編者的話

# 開源專案辦公室的新價值

開源專案辦公室（OSPO）的價值，不只是為了授權合規、善用開源或資安避險。許多AI基礎架構所用的技術，幾乎整套都是開源技術，企業越是想要善用GenAI，就越需要重視開源軟體的管理，這正是OSPO這類專責開源管理團隊的新價值

文/ 王宏仁 | 2025-04-25 發表

讚 9

分享

最近因為衛福部次世代數位醫療平臺專案的軟體授權爭議，開源專案辦公室（Open Source Program Office，簡稱OSPO）再次成為熱門關鍵詞。我查了一下在Linux基金會網站上公布的OSPO年度現況調查，

<https://www.ithome.com.tw/voice/168593>

# 商業開源管理的要點與標準

Key Points and Standards for Managing Open Source in Business

## 1. 政策書 FOSS Policy 涉及軟體開發、採購人員皆應遵守 A

formal policy document that must be followed by all personnel involved in software development and procurement.

## 2. 教範書 Curriculum 定期檢驗軟體相關人員開源知識 A

training and assessment framework to regularly evaluate the open source knowledge of relevant staff.

## 3. 應備流程 Flowchart 當開源授權問題被回報時得啟動稽

核與處理流程 A documented process flow to initiate audits and resolution procedures when open source license issues are reported

# 開源管理辦公室

Open Source Program Office (**OSPO**)

## 1. 任務編組 / 常設單位

Task Forces / Standing Units

## 2. 聯絡窗口

Points of **Contact**

## 3. 組織會議、建立政策、啟動流程

Organize Meetings, Establish Policies, Initiate Processes

# 管理之 1.--Legal Consideration 1

版本控制的維護管理

Establish and maintain Version Control Systems (**VCS**)

Amazon DocumentDB

https://aws.amazon.com/tw/documentdb/ 133% 建立 AWS 帳戶

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Amazon DocumentDB 概觀 功能 定價 入門 資源 常見問答集 客戶

# Amazon DocumentDB (與 MongoDB 相容)

快速、可擴展、高可用性的 MongoDB 相容資料庫服務

開始使用 Amazon DocumentDB



Amazon DocumentDB (與 MongoDB 相容) 是一種快速、可擴展、高可用性且全受管的文件資料庫服務，可支援 MongoDB 工作負載。作為文件資料庫，Amazon DocumentDB 讓儲存、查詢和索引 JSON 資料變得容易。

Amazon DocumentDB 是重新設計的非關聯式資料庫服務，為您提供大規模執行關鍵任務 MongoDB 工作負載時所需的效能、可擴展性和可用性。在 Amazon DocumentDB 中，儲存和運算是分離的，允許每個儲存和運算獨立擴展，無論您的資料大小為何，都可以在幾分鐘內增加多達 15 個低延遲僅供讀取複本，從而將讀取容量增加到每秒數百萬個請求。

Amazon DocumentDB 旨在實現 99.99% 的可用性，並在三個 AWS 可用區域 (AZ) 複寫六個資料複本。您可以免費使用 AWS Database Migration Service (DMS) 六個月的時間，輕鬆地將內部部署或 Amazon Elastic Compute Cloud (EC2) MongoDB 資料庫移轉至 Amazon DocumentDB，而且幾乎沒有停機時間。

Introducing Elastic License v2

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# Introducing Elastic License v2, simplified and more permissive; SSPL remains an option

By [Shay Banon](#)

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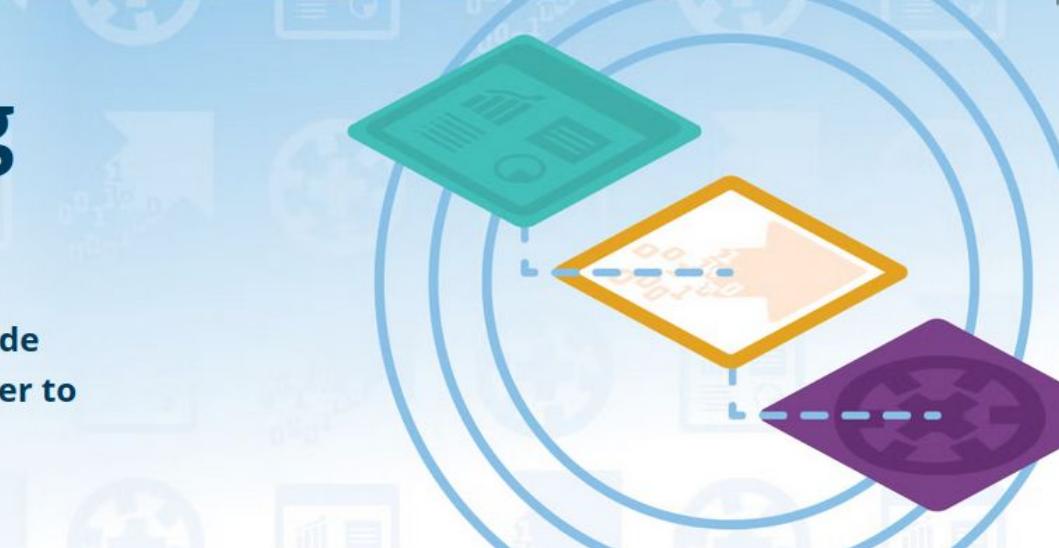
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## OpenSearch Capabilities



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# FAQ on Software Licensing

In 2021, with the 7.11 release, we moved our Apache 2.0-licensed source code in Elasticsearch and Kibana to be dual licensed under Server Side Public License (SSPL) and the Elastic License, giving users the choice of which license to apply. In September 2024, we are adding the Open Source Initiative (OSI) approved [AGPLv3](#) license as an option alongside SSPL and our Elastic license ensuring our community and customers have open source access to use, modify, redistribute, and collaborate on the code with a clear set of rights of their choice. Our releases will continue to be under the Elastic License.

<https://www.elastic.co/pricing/faq/licensing>

# 管理之 2.--Legal Consideration 2

政策書與拒絕或容許清單

Define explicit Approval and Rejected Lists within open source policies

# 開源軟體應進行適度管理

Open Source Software Should Be Appropriately Governed

## 1、全然開放 / Fully Open

註明出處各類開源皆可使用 / All types of open source software may be used, with proper attribution.

## 2、全然不開放 / Fully Restricted

僅 BSD 類授權開源軟體可以使用 / Only open source software under BSD-like licenses may be used

## 3、部份開放 / Partially Open

區隔判斷 ( 拒絕清單／容許清單 ) / Usage is selectively permitted based on a Rejected List and an Approval List.

ASF 3rd Party Licenses +

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## CATEGORY A: WHAT CAN WE INCLUDE IN AN ASF PROJECT?

For inclusion in an Apache Software Foundation product, we consider the following licenses to be similar in terms to the Apache License 2.0:

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  - MX4J License
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  - Eclipse Distribution License 1.0
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  - ISC
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- University of Illinois/NCSA
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## About COVESA

## Board and Officers

FAQ

## Contact

## About COVESA

*Accelerating the future of connected vehicles*

COVESA is an open, collaborative and impactful technology alliance; accelerating the full potential of connected vehicles.

Working together, we are a force-multiplier, creating a more diverse, sustainable and integrated mobility ecosystem.

## Our Purpose

The Connected Vehicle Systems Alliance (COVESA), formerly known as the GENIVI Alliance, is a global, member-driven alliance focused on the development of open standards and technologies that accelerate innovation for connected vehicle systems, resulting in a more diverse, sustainable and integrated mobility.

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https://docs.projects.genivi.org/License/Public\_Policy\_for\_GENIVI\_Licensing\_and\_Copyright\_version\_2.0.pdf#[{"num":22,"gen":0}, {"name":"XYZ"}, 68,406,0]

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# 開源軟體應進行適度**管理**

Open Source Software Should Be Appropriately Governed

## 1、**拒絕清單 / Rejected List**

可能依授權條款或專案名稱列示 May be defined based on license terms or project names

## 2、**容許清單 / Approval List**

可能依授權條款或專案名稱列示 May be defined based on license terms or project names

## 3、**技術區隔 / Technical Separation and Independence**

不同技術互動層級採取不同的拒絕 / 容許清單 Apply different rejected/approval lists based on the level of technical interaction

# Practical GPL Compliance — The Flowcharts



Shane Martin Coughlan · Follow

3 min read · Jun 14, 2017

11



Whether you work in consumer electronics, drones, IoT, or automotive devices based on generic Linux or Android code-bases, this guide is for you.

<https://medium.com/@shanecoughlan/practical-gpl-compliance-the-flowcharts-85a071ca8cef>

Creating

Using

Third-party

Overview

Licenses

Adding code

Responsibilities

One-version rule

Reviewers

What is a license?

Open Source Casebook

AGPL Policy

Growing

## The 'notice' licenses

The 'notice' licenses contain few restrictions, allowing original or modified third-party software to be shipped in any Google product without endangering or encumbering Google source code. All of the licenses in this category do, however, have an "original Copyright notice" or "advertising clause", wherein any external distributions must include the notice or clause specified in the license.

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- [Boost Software License](#)
- [BSD](#) (occasionally referred to as the "University of California" license)

- ▶ Creating
- ▼ Using
  - ▶ Third-party
  - What is a license?
  - Open Source Casebook
  - AGPL Policy**
- ▶ Growing

Google Open Source > Documentation > Reference

這對你有幫助嗎?  

# AGPL Policy



**WARNING:** Code licensed under the GNU Affero General Public License ([AGPL](#)) MUST NOT be used at Google.

The license places restrictions on software used over a network which are extremely difficult for Google to comply with. Using AGPL software requires that anything it links to must also be licensed under the AGPL. Even if you think you aren't linking to anything important, it still presents a huge risk to Google because of how integrated much of our code is. **The risks heavily outweigh the benefits.**

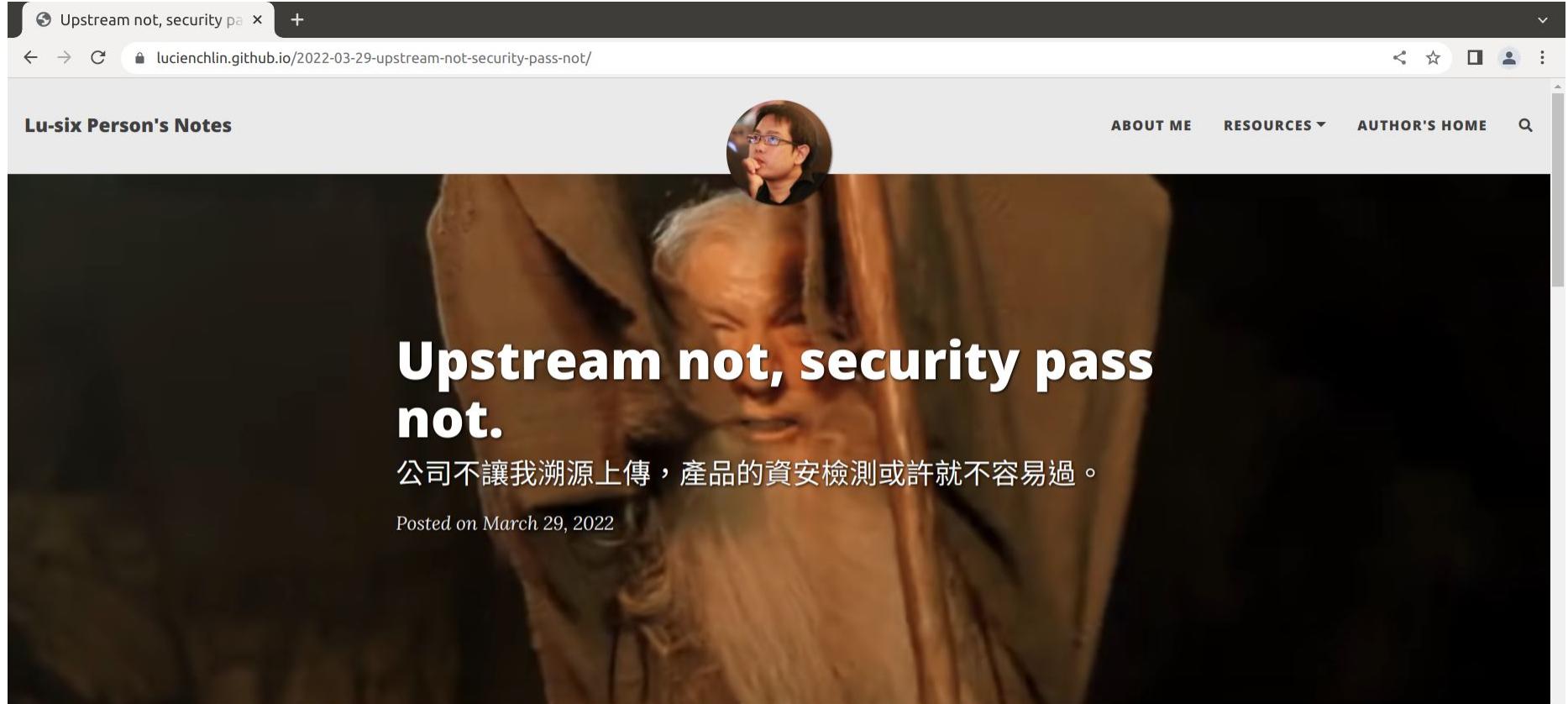
The primary risk presented by AGPL is that any product or service that depends on AGPL-licensed code, or includes anything copied or derived from AGPL-licensed code, may be subject to the virality of the AGPL license. This viral effect requires that the complete corresponding source code of the product or service be released to the world under the AGPL license. This is triggered if the product or service can be accessed over a remote network interface, so it does not even require that the product or service is actually distributed. Because Google's core products are services that users interact with over a remote network interface (Search, Gmail, Maps, YouTube), the consequences of an engineer accidentally depending on AGPL for one of these services are so great that we maintain an aggressively-broad ban on all AGPL software to doubly-ensure that AGPL could never be incorporated in these services in any manner.

- Do not attempt to check AGPL-licensed code into google3 or use it in a Google product in any way.

# 管理之 3.--Legal Consideration 3

溯源上傳原則與例外

Develop upstream contribution guidelines and review processes



某RD主管：「顧問，我們交付的項目，裡面有開源軟體被報資安通報，但那個漏洞其實我們是已經補起來的，這時候要怎麼辦？」

---

今天讓我們坦白一點，事實上以現狀來說，臺灣多數的資通訊產業，都是把開源當閉源用。

<https://lucienchlin.github.io/2022-03-29-upstream-not-security-pass-not/>

# 正確認識**開源**可能帶來的**好處**

Understanding the Potential Benefits of Open Source

## 1、Upstream Contributions

未必是壞事、建立標準，穩固市場。(Not necessarily a liability — contributing upstream helps establish standards and strengthen market position.)

## 2、Show me the codes

愈多貢獻愈有地位引領開源專案進行的方向 (The more you contribute, the greater your influence in shaping the direction of open source projects.)

# 管理之 4.--Legal Consideration 4

## COPYLEFT 的正確理解與面對

Understand and properly respond to the binding obligations and  
compliance requirements of Copyleft licenses

**請你和我這樣說**

**Say it like this with me.**

**請你和我這樣做**

**Do it like this with me.**

帶動唱 --Sing-Along

東西給你用、也能改

You're free to use it, and even change it.

沒有強迫你要發布、但若就是發布了

You don't have to share — unless you do.

必須採一樣的授權方式給人

But once you do, you must give it under the same license too!

**Copyleft-Enhanced**  
**SaaS-based / Cloud-based Copyleft**  
**AGPL-3.0, OSL-3.0**

# 雲端帶動唱 -Sing-Along – Cloud Clause Edition

東西給你用、也能改

You are free to use and modify the work.

但是要求更嚴格、雲端給人用就算發布了

But under stricter licenses, making it accessible over the cloud might count as distribution.

有可能必須採一樣的授權方式給人

In that case, you may be required to share it under the same license.

# Copyleft-Beyond the Limits

One ring to rule them all 至尊魔戒

SSPL -- Source Available License

# 瘋狂帶動唱 -Crazy Sing-Along

東西給你用、也能改，但要求非常嚴格，

You're free to use and modify the software — but under a very strict license.

**任何方式給人用就算發布** make available to 3<sup>rd</sup> party

If you make the software available to others in any way — including over a network —that counts as distribution.

**整個服務不管哪個部件** server side

You must make the full source code of the entire service, including all server-side components,

**都必須提供程式源碼給公眾**

available to the public.

# **SSPL – 擴大性幾無邊界**

**Source available, just available**

**如果使用了 GPL 授權的軟體到產品裡，和自己開發的軟體如何做適當區隔，以釐清源碼的提供範圍？ If a product includes software licensed under the GPL, how can one properly separate it from proprietary components to clarify the scope of source code disclosure?**

# 20110920-GPL 條款對於衍生程式的判定標準與其授權拘束性的擴散範圍

Posted on 09/21/2011 by lucien

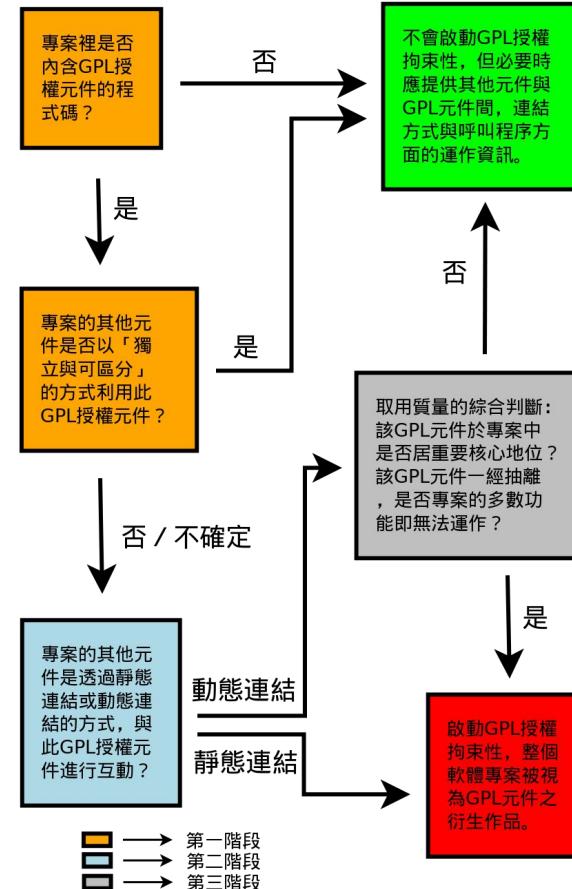
---

此篇文章原載於自由軟體鑄造場電子報第181期、183期。

GPL 類別的授權程式，最為人著稱的特性便是其「牽一髮而動全身」的授權拘束性（License Inheritance，註一）。所謂的「授權拘束性」白話來說，指的是當使用者將 GPL 授權的程式碼抄寫到自己的軟體專案時，如果抄寫程度佔專案程式碼的比例很大，或是此一 GPL 授權元件提供了專案的核心功能，並且專案的其他元件在互動上亦無法與其分割，則整個軟體專案便會一體被視為該 GPL 授權元件的衍生著作，嗣後使用者如果再行散布這個軟體專

<http://lucien.cc/20110920-gpl-條款對於衍生程式的判定標準與其授權拘束性/>

## GPL授權拘束性基本判別流程示意圖



2011 © Lucien C.H. Lin & Yihuan Lin, released under Attribution-NonCommercial-NoDerivs-3.0-Unported.

<http://lucien.cc/20110920-gpl-條款對於衍生程式的判定標準與其授權拘束性/>

# GPL / LGPL / AGPL 程式碼拘束的狀態？使用上需要注意的地方？ What Are the Binding Effects of GPL / LGPL / AGPL Code? Key Points to Watch Out for in Usage

## GPL 拘束原作和改作範圍

GPL: The license binds both the original work and any derivative works.

## LGPL 拘束原作和改作範圍、但能用 Interface/Linking 隔開的部份不拘束

LGPL: It also binds the original and derivative works, but parts separated via interfaces or dynamic linking are generally not subject to the same copyleft obligations.

## AGPL 和 GPL 一致、但改作後雲端提供對外服務就會產生拘束力

AGPL: Similar to GPL, but it additionally applies when modified software is provided as a service over a network (e.g., via the cloud), triggering copyleft obligations even without distribution of the software itself.

# 開源協作建立在普遍共識上

**Open source collaboration is built on general consensus**

## 源碼可及解釋權集中於釋出者

**Source Available / Shareware:**

The right to access and interpret the licensing terms is concentrated with the licensor.

# Patrick McHardy and copyright profiteering

Many developers in the Linux community have concerns about the activities of Patrick McHardy. Here are answers to common questions.

By [Heather Meeker](#)

August 24, 2017 | [5 Comments](#) | 10 min read

623 readers like this.



<https://opensource.com/article/17/8/patrick-mchardy-and-copyright-profiteering>

Linux之父呼籲，Linux Kernel聖域不能搬上法庭，否則將瓦解社群信任

針對違反GPL授權的Linux官司，Torvalds認同知名開發人員Kroah-Hartman，他認為訴訟的風險不只是可能會輸掉官司，還可能會失去社群及朋友，而且會破壞社群數十年來建立的信任及善意。

文/ 陳曉莉 | 2016-09-06 發表

推文 24 正在關注 4 跟隨者 2.86 萬 喜歡的內容 11

iT+ 看影片追技術

API 驗證授權，你所該知道的那些事  
MWC | 30 分

ASP.NET Core X Azure OpenAI 打造第一個AI 網站應用程式！  
iThome 鐵人賽 | 31 分

<https://www.ithome.com.tw/news/108261>

# 呼群保義

Rallying for Justice

星星之火、可以燎原 A single spark can start a prairie fire.

開源社群、特別易燃 The open source community is especially combustible.

Barracuda bites bacl × +

← → C ⌘ ⌘ https://www.zdnet.com/article/barracuda-bites-back-at-trend-micro-patent 140% ☆

ZDNET tomorrow belongs to those who embrace it today

Home / Tech / Security

# Barracuda bites back at Trend Micro patent claims

Trend Micro is suing Barracuda over its use of antivirus software ClamAV, in a case that may bode ill for open source



Written by **Liam Tung**, Contributing Writer

Jan. 30, 2008 at 4:57 a.m. PT



Following months of legal communications with Barracuda Networks, Trend Micro is suing its rival over its use

<https://www.zdnet.com/article/barracuda-bites-back-at-trend-micro-patent-claims/>

# Boycott Trend Micro

by josh Contributions — Published on Feb 11, 2008 04:45 PM

Join us and the [ScriptumLibre.org Foundation](#) in **boycotting** all products and services sold by Trend Micro.

The proprietary software company Trend Micro has filed a patent infringement lawsuit against Barracuda Networks. They claim that Barracuda is violating their patent by distributing the free software antivirus program ClamAV.

We should avoid using any proprietary software, but companies that use software patents for aggression are the lowest of the low.

Lawsuits like this are a threat to the entire IT community, and to free software programmers in particular. There is little that can be done to stop patent trolls from exploiting the patent and legal system for financial gain, until we put a stop to the patenting of software altogether. But there is an immediate opportunity to punish and deter trolls like Trend Micro.

Let all of Trend Micro's potential customers know that by doing business with Trend Micro, they are supporting this attack on all creators of software works, including the entire free software community, and that the strongest

Boycott Trend Micro is to avoid buying all of their products and services.

<https://www.fsf.org/blogs/community/boycottTrendMicro.html>

# 開源授權之爭

Disputes over Open Source Licenses

當以開源授權來解

Should be settled according to the terms of the open source licenses.

得救之道 就在其中

Salvation lies within.

**建立開源聯絡人制度與**

**專責窗口**

**Establishing an Open Source Liaison System and Dedicated Contact Points**

From: Matt Mackall <mpm <at> selenic.com>  
Subject: Re: kernel panic about pagemap\_read  
Newsgroups: gmane.linux.kernel  
Date: 2010-10-13 03:59:35 GMT (3 years, 4 weeks, 4 days, 18 hours and 58 minutes ago)

**On Wed, 2010-10-13 at 11:32 +0800, martin\_liu <at> htc.com wrote:**

**> Dear Matt:**

**>**

**> Recently, I got an oops at pagemap\_read(). I've tried to**

**> searched some patches and found a patch as below link.**

**> <http://kerneltrap.org/mailarchive/git-commits-head/2010/4/4/31481>**

**Dear Martin,**

**Are you from the**

**<http://www.freedom-to-tinker.com>**

**If so, please as**

**--**

**Mathematics is**



## HTC Willfully Violates the GPL in T-Mobile's New G2 Android Phone

OCTOBER 10, 2010 BY STEVE SCHULTZE

*[UPDATE (Oct 14, 2010): HTC has released the [source code](#). Evidently 90-120 days was not in fact necessary, given that they managed to do it 7 days after the phone's official release. It is possible that the considerable pressure from the [media](#), [modders](#), [kernel copyright holders](#), and [other kernel hackers](#) contributed to the apparently accelerated release.]*

*[UPDATE (Nov 10, 2010): [The phone has been permanently rooted](#).]*

Last week, the hottest new Android-based phone arrived on the doorstep of thousands of expectant T-Mobile customers.

Thank you for contacting HTC Technical Assistance Center. HTC will typically publish on developer.htc.com the Kernel open source code for recently released devices as soon as possible. HTC will normally publish this within 90 to 120 days. This time frame is within the requirements of the open source community.

versions of the OS have routinely enabled software applications that the stock versions haven't supported (not to mention improved reliability and speed).

**NARKIVE**  
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legal@lists.gnu-violations.org

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<b>81</b> replies	Oracle vs Google: APIs are copyright; appeal ... started 11 years ago	11 years ago Thomas Charron
<b>0</b> replies	Google did not reverse engineer Java started 11 years ago	11 years ago thufir
<b>0</b> replies	ArgoSoftware started 11 years ago	11 years ago Harry Miller
<b>0</b> replies	GNU/Linux kernel GPL violation   Turkey   And... started 11 years ago	11 years ago Mahmut Can
<b>0</b> replies	Motorola in violation of multiple GPL projects... started 11 years ago	11 years ago Joe Gullo
<b>0</b> replies	GNU/Linux kernel GPL violation Turkey Android started 11 years ago	11 years ago Mahmut Can

**1029 Threads**  
**4869 Posts**

Ranked #3448

First post 21 years ago

NK Experiences of Huawei +

legal.gpl-violations.narkive.com/RtfbtQGf/experiences-of-huawei-providing-source-code 120% ☆

NARKIVE MAILINGLIST ARCHIVE legal@lists.gpl-violations.org

Discussion:

## Experiences of Huawei providing source-code?

TJ

12 years ago

On 28th October I requested from Huawei the source-code for the VMG8324-B10A and VMG8924-B10A, BCM63168-based VDSL/ADSL integrated access devices released in May 2013 with Linux 2.6.30, Busybox, and other major FL/OSS GPL/LGPL applications installed.

Detailed information on the devices is being assembled in my wiki at [http://tjworld.net/wiki/Zyxel/VDSL\\_IAD](http://tjworld.net/wiki/Zyxel/VDSL_IAD)

I received a response on 29th October asking which firmware version the devices had which I replied to immediately.

On 30th October I received a response:

"We will provide package(V1.00(AAKL.0)C0) to you on 11/18/2013  
Please wait patiently. Thank you."

12 Replies  
358 Views

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### Thread Navigation

TJ	12 years ago
Anto Cvitic	11 years ago
Shenfen (Navia)	11 years ago
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Jonathan Wilson	11 years ago
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Jonathan Wilson	11 years ago
Solomon Peachy	11 years ago
Robinson Tryon	11 years ago
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TJ	11 years ago

Shenfen (Navia)

11 years ago

12 Replies  
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Hi,

[Permalink](#)[Permalink to this page](#)  
[Disable enhanced parsing](#)**I am sorry to hear that.**

Selection Permalink:

<https://narkive.com/RtfbtQGf:3.383.24>

Please be noted that there is an internal procedure for disclosing any kind of source code in Huawei. That is why the procedure will be a little longer. Anyway, the source code has been prepared for disclosure as per user's request.

I will ask Huawei to release the code as soon as possible. And we will contact you soon.

Any further questions, please contact me directly.

Navia from Huawei.

-----邮件原件-----

发件人: TJ [mailto:gpl-\*\*\*@iam.tj]

发送时间: 2013年11月19日 19:02

收件人: GPL

主题: Experiences of Huawei providing source-code?

**Thread Navigation**

Anto Cvitić	12 years ago
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TJ	11 years ago

However, would it not be a better practice to maintain the FL/OSS parts in an internal repository as an integral part of the device development process, tag each firmware release, and simply push that to a public (git) repository or produce a tar-ball?

That way there would be zero extra effort to comply with the copyright obligations and an added benefit that end-users can be assured that the source-code they work with matches precisely the firmware version in the device.

Shenfen (Navia)

11 years ago

[Permalink](#)

Thank you for your suggestion. It is quite useful.

We are improving.

Selection Permalink:

<https://narkive.com/RtfbtQGf:5.430.17>

-----邮件原件-----

发件人: TJ [mailto:gpl-\*\*\*@iam.tj]

发送时间: 2013年11月21日 9:05

收件人: GPL

主题: Re: 答复: Experiences of Huawei providing source-code?

12 Replies  
358 Views

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	11 years ago
	11 years ago

# **THANK YOU**

**Lucien Cheng-Hsia Lin 林誠夏**

**E-mail: [lucien.cc@gmail.com](mailto:lucien.cc@gmail.com), [contact@herdingfoss.com](mailto:contact@herdingfoss.com)**

**LinkedIn: <https://tw.linkedin.com/in/lucienclin>**