

# GeForce nvidia driver license for commerical use?

Asked 2 years, 2 months ago   Modified 2 years, 1 month ago   Viewed 440 times

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I am considering building a commercial system consisting of a GPU-enabled desktop computer with pre-installed drivers and software. Nvidia makes a distinction between their GeForce and Tesla series in their EULA. The [Tesla EULA](#) says in Paragraph 2.1.2

Linux/FreeBSD Exception. Notwithstanding the foregoing terms of Section 2.1.1, SOFTWARE designed exclusively for use on the Linux or FreeBSD operating systems, or other operating systems derived from the source code to these operating systems, may be copied and redistributed, provided that the binary files thereof are not modified in any way (except for unzipping of compressed files).

I think, this would make a commercially sold stand-alone system possible as long as it has a linux core.

The [GeForce EULA](#) says that too, but they add in Paragraph 2.1.3:

No Sublicensing or Distribution. Customer may not sell, rent, sublicense, distribute or transfer the SOFTWARE; or use the SOFTWARE for public performance or broadcast; or provide commercial hosting services with the SOFTWARE.

Would that additional clause prohibit GeForce GPUs in the envisioned product?

commercial

eula

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edited Aug 14, 2020 at 11:00

asked Jul 6, 2020 at 9:37



Bart van Ingen Schenau

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Jus

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What sort of licence are you thinking of distributing your "*commercial system*" under? An ordinary proprietary licence, or are you thinking of trying to commercialise your software while staying free/open? – [MadHatter](#) ♦ Jul 6, 2020 at 9:41

This license appears to be for the driver, not the GPU – [user253751](#) Jul 7, 2020 at 9:57

@MadHatter, we aren't yet certain about that. – [Jus](#) Jul 7, 2020 at 11:54

@user253751, yes the software is licensed, the hardware is sold. However, software licenses for the GeForce and Tesla drivers seem to differ in the aspects cited above. – [Jus](#) Jul 7, 2020 at 11:57

You have not defined what your "envisioned product" does. Some of the activities are prohibited by the GF license you quoted. – [D. SM](#) Jul 8, 2020 at 1:07

Note that the restrictions are about you distributing the drivers, which is in effect if you install them before selling your product. Consider shipping your product without gpu drivers, and have the customer download and install the drivers from the nvidia site as part of the initial setup on first run. Many pre-built PCs ship with an nvidia card and drivers on CD, maybe you can request OK to do that from nvidia as an OEM. The GeForce part sounds like it is to prevent use in an AWS-style system distribution where they want you to use Tesla products. – [sambler](#) Jul 8, 2020 at 6:49