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The Legal Side of Open Source

Everything you've ever wondered about the legal side of open source, and a few things you didn't.

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Section 1

Understanding the legal implications of open source

Sharing your creative work with the world can be an

exciting and rewarding experience. It can also mean a bunch of legal things you didn't know you had to worry about. Thankfully, you don't have to start from scratch. We've got your legal needs covered. (Before you dig in, be sure to read our disclaimer.)

Why do people care so much about the legal side of open source?

Glad you asked! When you make a creative work (such as writing, graphics, or code), that work is under exclusive copyright by default. That is, the law assumes that as the author of your work, you have a say in what others can do with it.

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Section 3

Are public GitHub projects open source?

When you [create a new project](#) on GitHub, you have the
option to make the repository **private** or **public**.

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Section 4

Just give me the TL;DR on what I need to protect my project.

You're in luck, because today, open source licenses are standardized and easy to use. You can copy-paste an existing license directly into your project.

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Which open source license is

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Section 5

Which open source license is appropriate for my project?

If you're starting from a blank slate, it's hard to go wrong with the MIT License. It's short, very easy to understand, and allows anyone to do anything so long as they keep a copy of the license, including your copyright notice. You'll be able to release the project under a different license if you ever need to.

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What if I want to change the license of my project?

Most projects never need to change licenses. But occasionally circumstances change.

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Section 7

Does my project need an additional contributor agreement?

Probably not. For the vast majority of open source projects, an open source license implicitly serves as both the inbound (from contributors) and outbound (to other contributors and users) license. If your project is on

GitHub, the GitHub Terms of Service make "inbound=outbound" the explicit default.

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Section 8

What does my company's legal team need to know?

If you're releasing an open source project as a company employee, first, your legal team should know that you're open sourcing a project.

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