Open Source Initiative

Frequently Answered Questions

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Here are, in no particular order, the answers to questions we are frequently asked by people sending email to osi@opensource.org.

Can I do $LEGAL_QUESTION?
I'll be darned if I know. I'm not a lawyer. Even if I was, I couldn't answer your question, because a lawyer is not allowed to give generic legal advice. They can only give specific legal advice, and they can only do that for a client. Even if it is 'pro bono', there still needs to be a formal client arrangement.

Can I ask $LEGAL_QUESTION anyway?
Without giving you legal advice, we can still give you advice about community norms and expectations. It will be more or less useful than legal advice, but you may still find it useful when talking with your lawyer.

Can I restrict usage of an Open Source licensed program?
No. That said, nearly all Open Source licenses try to make sure you know that you have no warranty. You can't sue if it blows up your computer, kicks your dog, steals your truck, runs off with your wife, and writes a country and western tune about the whole affair.

Can I stop $EVIL_PEOPLE from using my program?
No. Giving everyone freedom means giving evil people freedom, too. Fortunately, the benefit of freedom for good people exceeds the harm of the abuse of freedom by evil people. Moreover, there are enforceable laws that constrain the behavior of evil people. If you are a citizen of a democracy and think more laws are needed, you can write them up and get them enacted.

Can I use your corporate logo (green open keyhole saying "Open Source") or something very similar (different color / texture / words) on my (product|hat|shirt|web page)?
Alas, no, it is a trademark and we need to retain control over it.

Can I use your corporate logo on my web page to link to you?
Yes. You can always use a trademark in a truthful manner.

Is $PROGRAM Open Source?
Only if it uses one of the approved licenses, and releases appropriate software.

Can I call my program "Open Source" even if I don't use an approved license?
You can call you program "Bob" if you want, but if you call it "Open Source" without using an approved license, you will be confusing people. Please don't. Companies that confuse partners and potential customers tend to drive them away.

Is $PROGRAM_LICENSE an Open Source license, even if it is not listed on your web site?
In general, no. To avoid potential confusion, we now run all licenses through an approval process. Be dubious of claimed Open Source-ness for licenses which haven't gone through the process.

Is $PHP_PROGRAM Open Source simply because it's written in PHP?
No. PHP is Open Source, sure, but that doesn't turn all PHP code into Open Source. The code written in PHP needs to be licensed under an approved Open Source license in order to be Open Source.

Can I strip out the copyrights on Open Source code and put in my own?
ZOMG, NO! First of all, many licenses forbid it. Even if not, regardless of the dubious legality of doing so,

recognition and attribution are how we pay for the code we receive. And though a license may not require attribution, politeness dictates thanking the author of the code, and your parents taught you to be polite, right?

Can I write proprietary code that links to a shared library that's open source?

Authors often want you to be able to do this, so most shared libraries are licensed under a permissive license or one that allows linking under certain circumstances (e.g., the LGPL), a. A very small number of libraries use the GPL, which only allows linking with proprietary works if an explicit exception is granted. Thus, you are wise to check the licenses that your program links to. The community expects that all code linked to GPL code will be licensed under the GPL, even if the link is made at runtime using a shared library.

I am not a programmer but I have an idea that I am excited about and would like to throw out into the open source arena and see if others are interested in collaborating on it. How would I get started?

I don't want to suppress your enthusiasm too badly, but everyone capable of implementing a great idea already has their own great ideas. Typically, an open source project is started either by code that was commercially developed, or by a developer who has implemented their own idea. Those ideas generated by people who don't have the resources or ability to implement them unfortunately don't go far. Your best bet is to befriend a programmer in person (food helps) and see if you can get them excited about your idea.

I want to publish some code as Open Source code -- can I get a license from you?

As long as you own that source code, all that you need to do is choose one of the approved Open Source licenses, include a copy of the license text, typically in a filenamed "COPYRIGHT", including a statement saying that you are licensing the code under that copyright, and give it to somebody else! Of course, you probably want to give it to a lot of people in order to gain the maximum benefit from giving away your code. A number of websites will help you do that: berlios.de, sourceforge.net, code.google.com, and others.

Can you help me with $HOMEWORK?

No.

Can I ask you a question?

You already did.

Can I use one of your pages in a document I'm writing?

Generally, yes. Look at the bottom of each page for the Creative Commons Attribution 2.5 License. That gives you certain reprint permissions; read the license to see what they are.

Can I link to your site?

It's *always* okay to link to *anybody*'s site, even if they don't want you to link to them. They can use the Referer header to cause your link to go anywhere they want. **NEVER** ask permission to link.

Can I sell Open Source programs? Even if I haven't written it?

Yes, you can. But depending on the license, you probably can't stop your customer from selling it in the same manner as you.

How do I make money if anybody can sell my code?

You can't make monopoly profits, true. But you can sell your time, you can sell future versions, you can sell print documentation, you can license the trademark. Or maybe you can't make money from your software; instead you make money with your software. By making it Open Source you reduce your costs, and turn the software into a commodity from which nobody can profit. If somebody in your market sector is profiting from better software, then everybody else can gang up on them with an Open Source solution.

How much does it cost for a link on opensource.org to my website?

Our website is a marketplace of ideas. We do not sell links on opensource.org. If you write a great paper, build a great business or social success story, create awesome open source software, or develop a license that inspires others to write more open source software, then we would be happy to see how, if at

all, we may wish to link to such. But we are not in the business of selling links to other websites, and respond with scorn (or not at all) to such inquiries.

Why did you approve Microsoft's licenses when they are attacking Open Source?

Because freedom sometimes means allowing activities you don't like. That does not mean we endorse such activities-quite the contrary! But it does mean that we hold freedom higher than we do oppression, censorship, or discrimination.

Can you help me find an Open Source (programmer|program)?

Sorry, Open Source is too big for us to keep track of all the people and activities. For specific software, we suggest you check out online resources such as Wikipedia, Freshmeat, and Sourceforge.

How do I unsubscribe from one of your mailing lists?

Visit the lists page, and click on the appropriate "unsubscribe" link to generate the necessary email request."

How can I join an open source project?

Pretty much every open source project is run via mailing lists. We encourage you to find a project you care about, join their mailing list, then starting filing and fixing bugs.

I have a thesis and I'm sending out a survey

We do not personally answer surveys. Read this for more information.