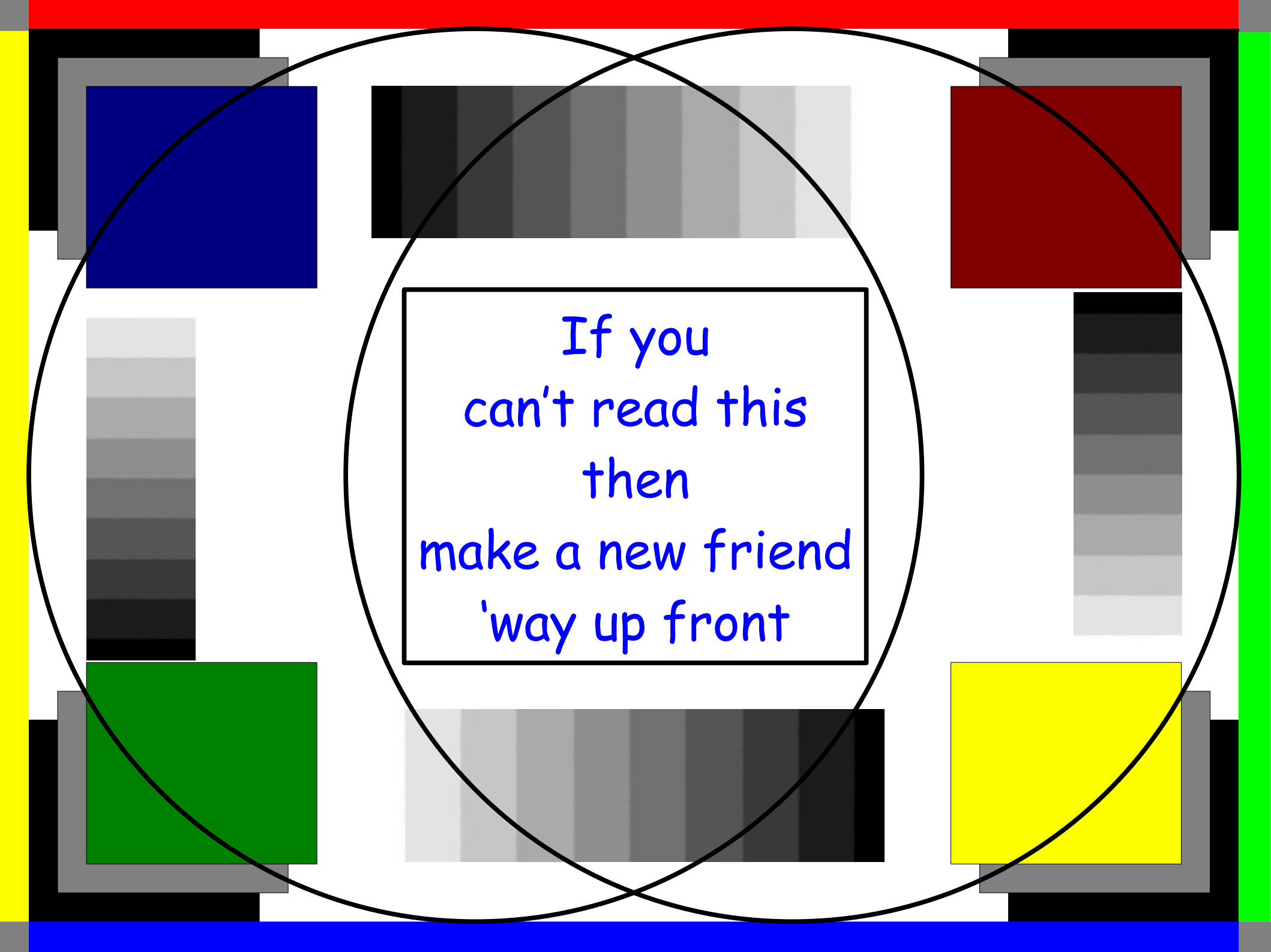

If you
can't read this
then
make a new friend
'way up front

Free Software
Open Source
and
You

Ed Nisley
April 2007
ACM Poughkeepsie

Free Software
Open Source
and
You

Ed Nisley
April 2007
ACM Poughkeepsie

Upcoming Events

Why license?

Who needs one?

Which license?

What if?

How do I make money?

You Want to Write Programs

For your own use

In the privacy of your own home

From scratch

You Want to Write Programs

Go ahead …

Your
Program

Oh, You Want to Write **Useful** Programs

Life is short

Most code is boring

Other Peoples' Code

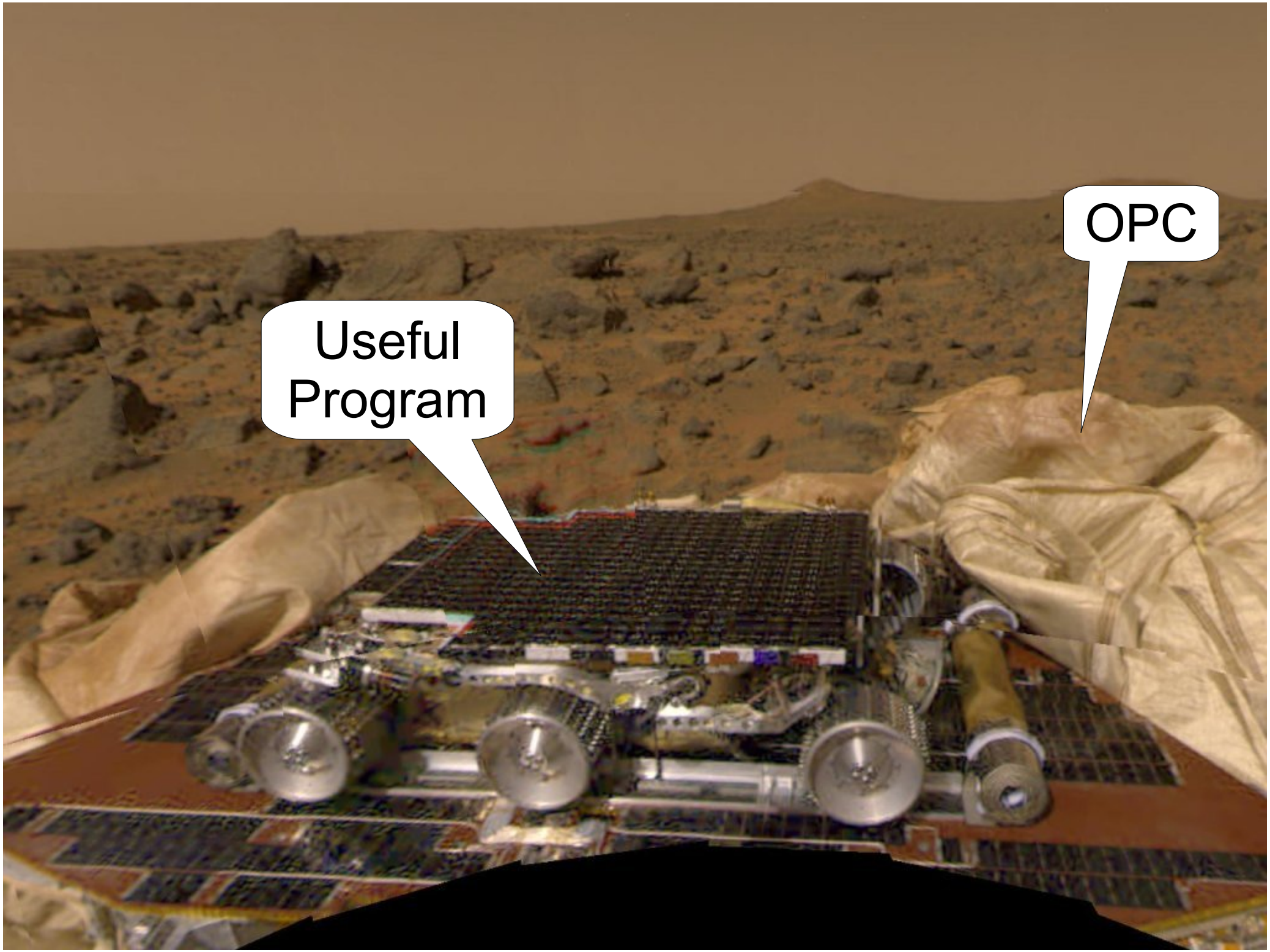
Operating Systems

Programs

Libraries

Source

Ideas


Useful
Program
OPC

So, You Want to Use OPC

Go ahead …

Get Permission **Be**Fore Use

Huh?

Get Permission BeFore Use

Copyright / Patents / Trade Secrets

▲

Buy

License

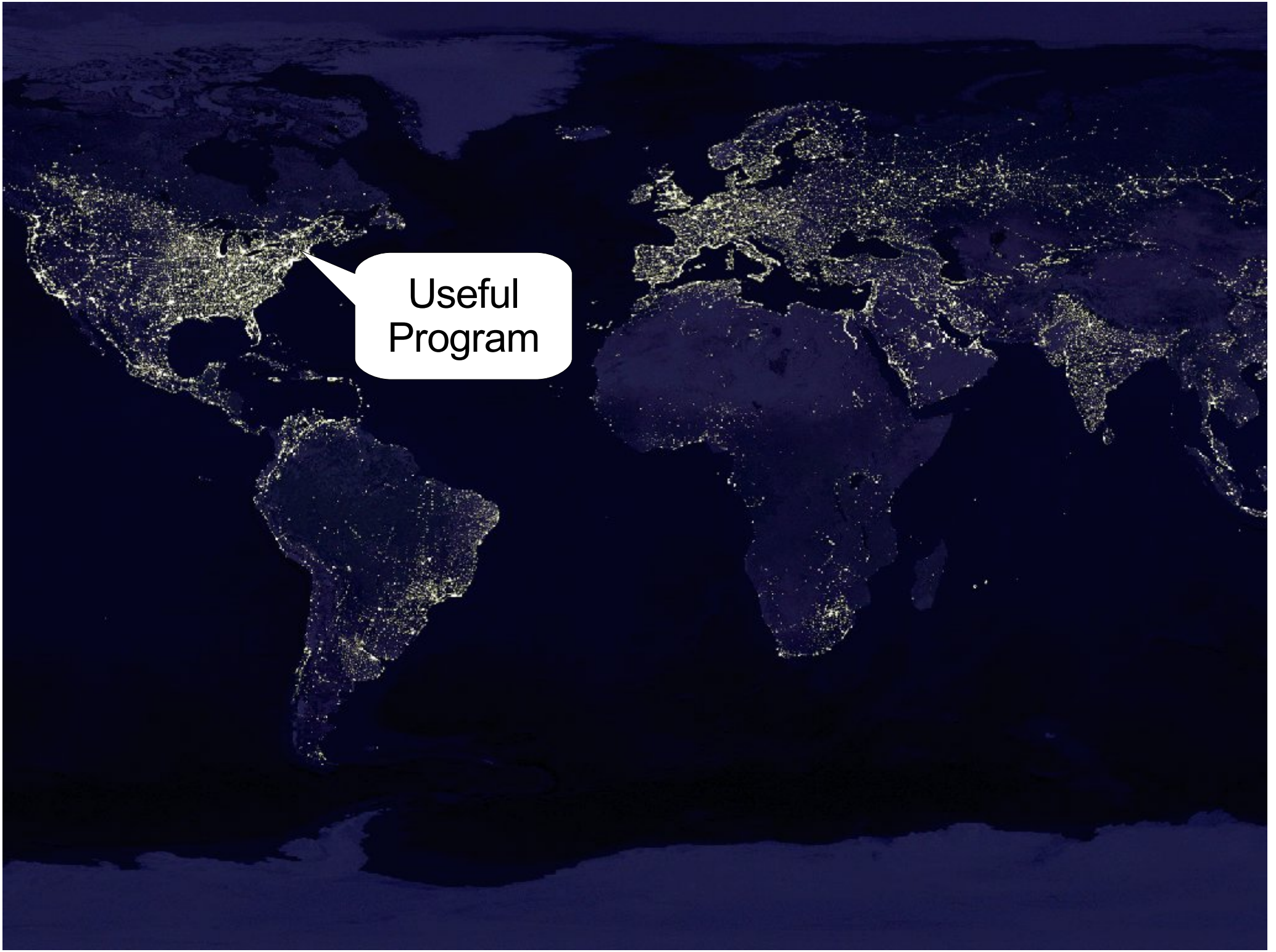
Steal

What is a License?

To license … is to give permission.

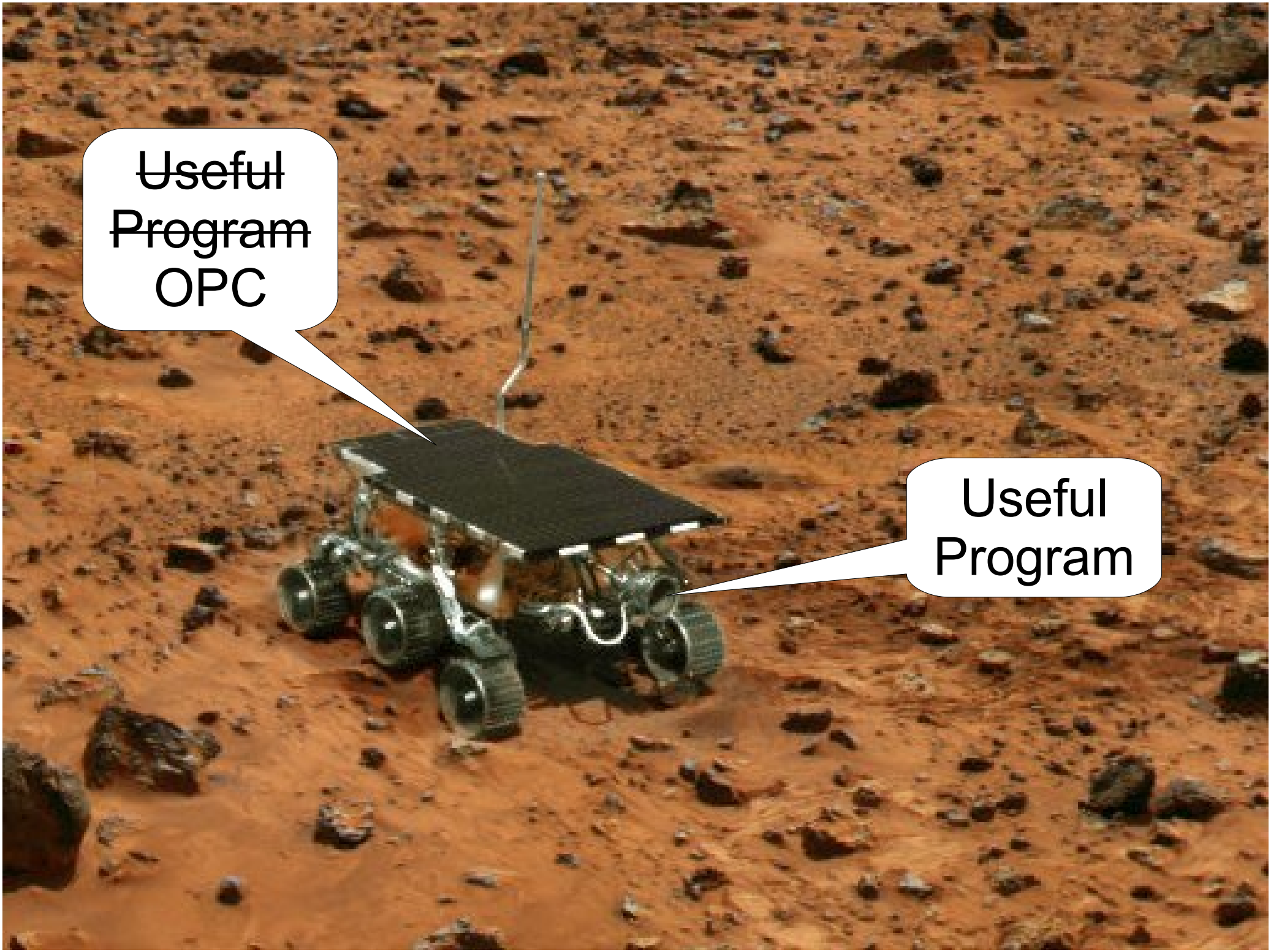
A shorthand definition of a license is
"a promise (by the licensor)
not to sue (the licensee)."

Wikipedia


Useful
Program

It's **So** Useful …

Somebody **else** wants to use it!


~~Useful~~
~~Program~~
OPC
Useful
Program

Can Somebody Else …

Use your program?

If They Get Permission From **You**

Copyright / Patents / Trade Secrets

▲

Buy

License

Steal

Useful
Program
at these
sites

Can Somebody Else …

Modify your program?

Take OPC from your program?

Allow others to … ?

This is recursive

Can Somebody Else …

Uh-oh

Why License?

Obtain OPC **for** your program

Permit use **of** your program

License = Permission

Owner defines what's permissible

► and ◄

User agrees to those conditions

End User License Agreement

MICROSOFT SOFTWARE LICENSE TERMS
WINDOWS VISTA HOME BASIC
WINDOWS VISTA HOME PREMIUM
WINDOWS VISTA ULTIMATE

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As described below, using the software also operates as your consent to the transmission of certain computer information during activation, validation and for Internet-based services.

► *and 4400 more words ...* ◄

End User License Agreement

Before you use the software under a license,
you must assign that license to one device
(physical hardware system). That device is the “licensed device.”

You may install one copy of the software on the licensed device. You may
use the software on up to two processors on that device at one time.

Except as provided in the … sections below, only one user may use the software at a time.

Before you activate, you have the right to use the version of the
software installed during the installation process. Your right to use the software after the time
specified in the installation process is limited unless it is activated.
This is to prevent its unlicensed use.
You will not be able to continue using the software after that time
if you do not activate it.

If, after a validation check, the software is found not to be properly licensed,
the functionality of the software may be affected.

► *This is all very complicated ...* ◄

End User License Agreement

Borland's No-Nonsense License Agreement

This software is protected by both United States copyright law and international copyright treaty provisions. Therefore, you must treat this software just like a book, except that you may copy it onto a computer to be used and you may make archival copies of the software for the sole purpose of backing up our software and protecting your investment from loss.

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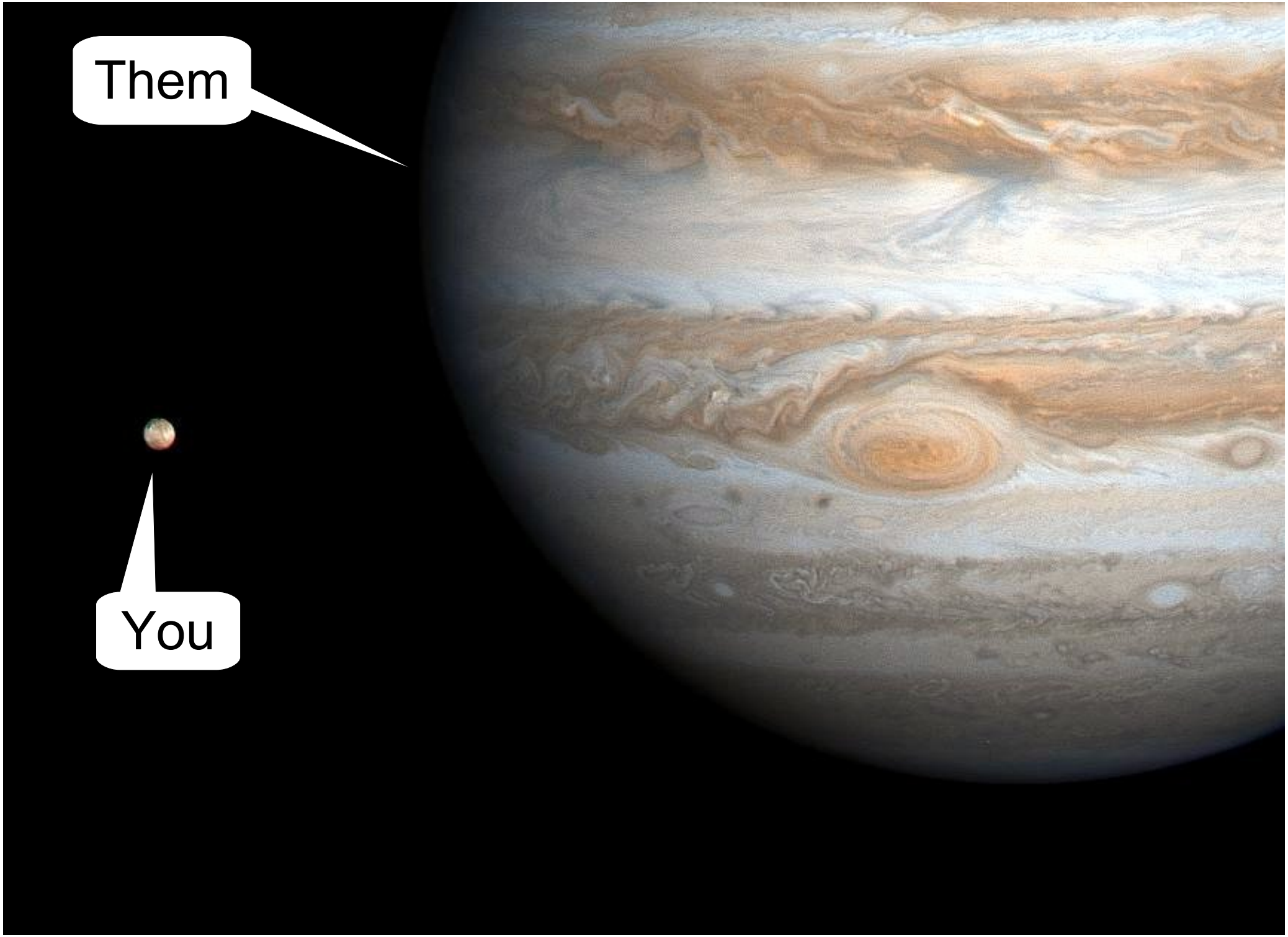
How Can They Get Away With This?

That’s easy ...


Them
You

But I’m Not an End User!

Then you can’t use an E·U·L·A

Redistribution

TERMS

1. This license grants you a non-exclusive, non-transferable, perpetual license, to distribute an unlimited number of Named MaxMind Products within a Named Product, in return for an annual fee

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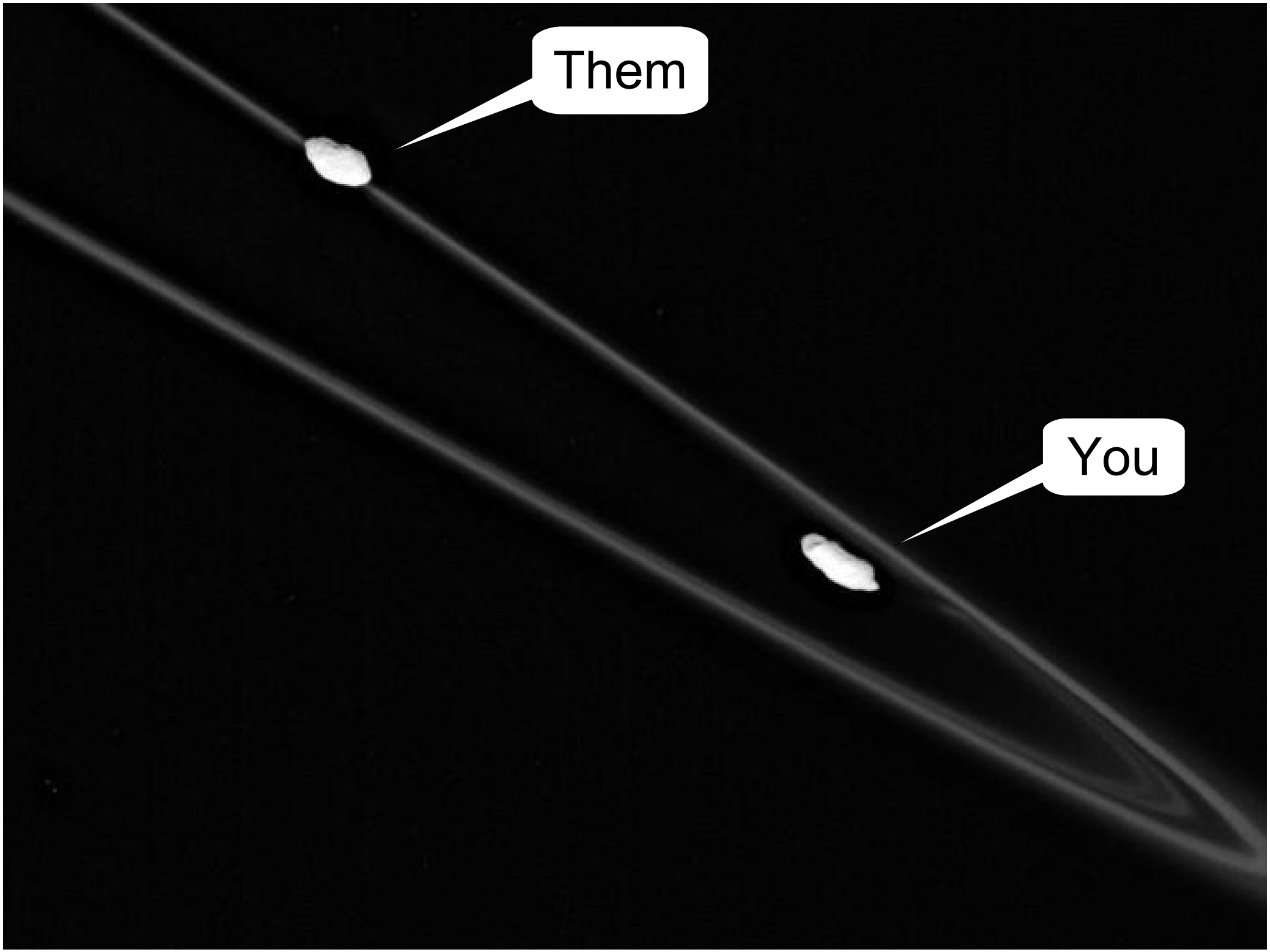
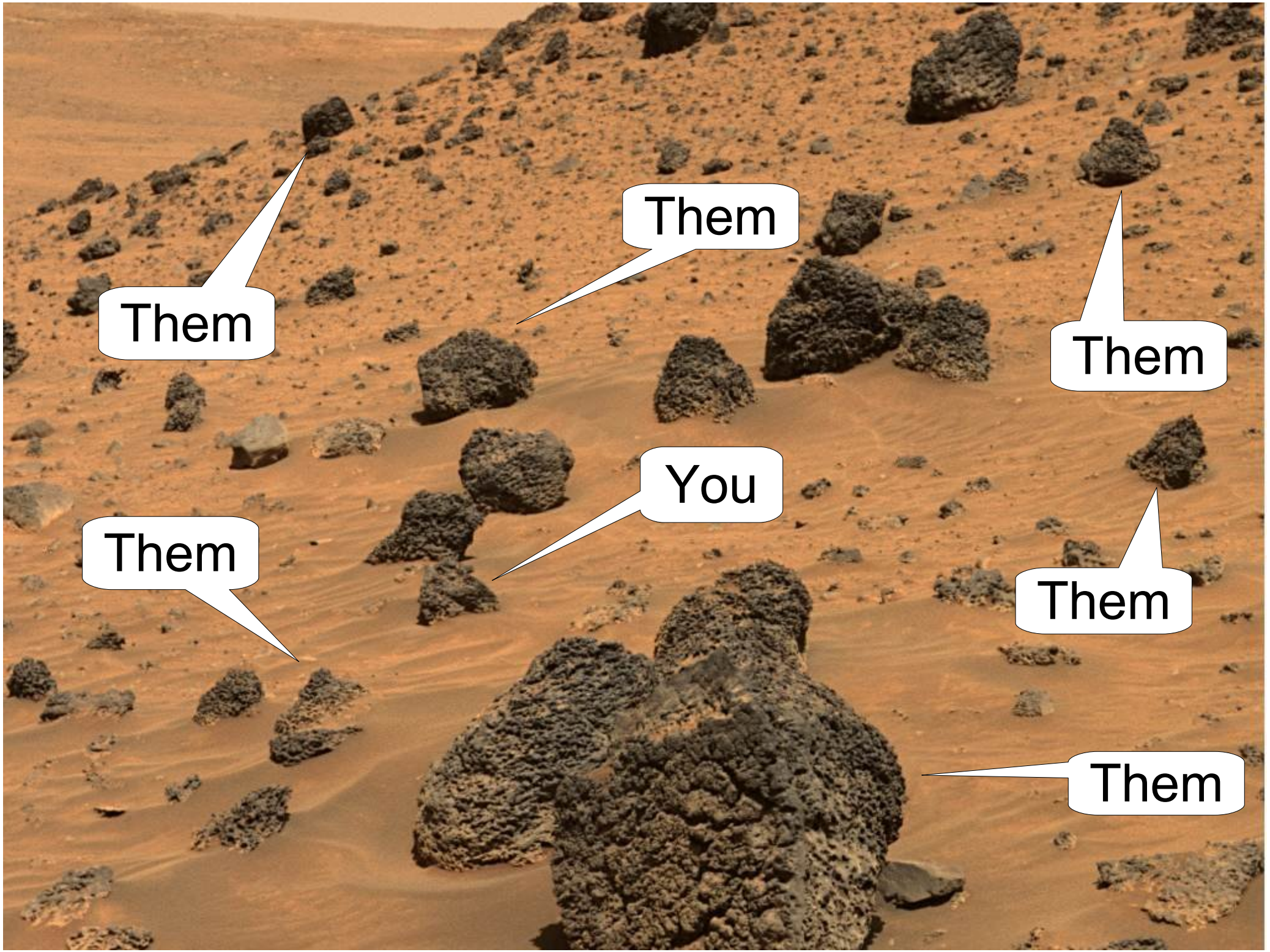
http://www.maxmind.com/app/redistribution_license_agree


Them
You


Them
Them
Them
Them
You
Them
Them
Them

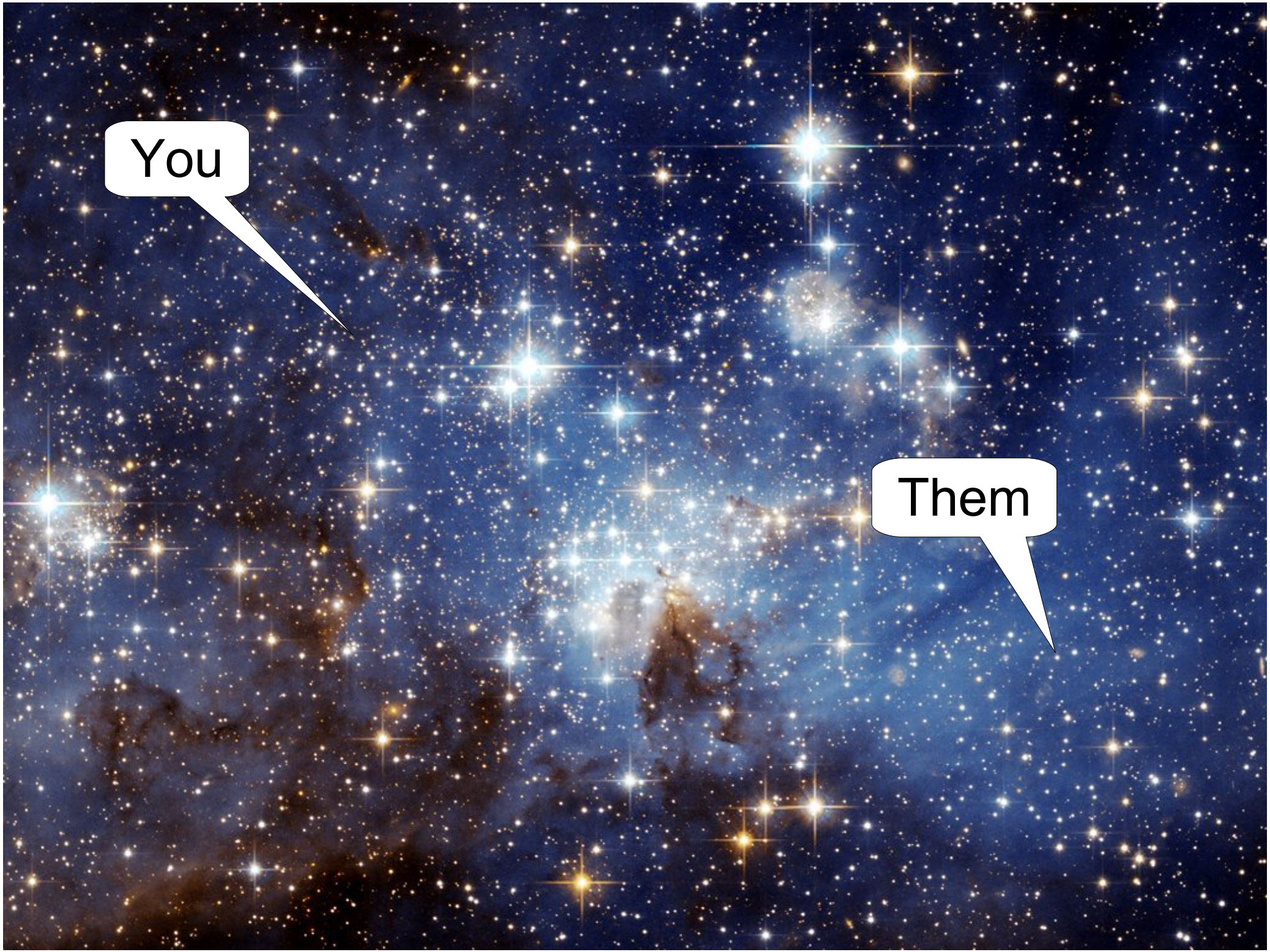
General Public License

1. You may copy and distribute verbatim copies
of the Program's source code …

2. You may modify your copy or copies of the Program …

4. You may not copy, modify, sublicense, or distribute the Program
except as expressly provided under this License. …

6. Each time you redistribute the Program …,
the recipient automatically receives a license
from the original licensor …


You
Them

Proprietary

Whatever is not forbidden is mandatory;

whatever is not mandatory is forbidden.

not George Orwell

Free Software

Basically the GPL

Run / Change / Build / Run again

"When we speak of free software,
we are referring to freedom,
not price."

Richard Stallman

Open Source

Many GPL-ish licenses, but …

Not all require source redistribution

"Open source is a development method"

Eric S. Raymond

Share & Share Alike?

I’d love to, **but** …

Share & Share Alike?

When a fellow says,

"It ain't the money
but the principle of the thing,"

it's the money.

Kin Hubbard
or someone like him

Share & Share Alike?

Is your program **that** special?

Your program is unique
Just like all the others

At Least It's Yours

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA
DIPLOMATIC CONFERENCE
ON
CERTAIN COPYRIGHT AND NEIGHBORING RIGHTS QUESTIONS
WIPO COPYRIGHT TREATY

Article 2 -- Scope of Copyright Protection

Copyright protection extends to expressions
and not to ideas, procedures, methods of operation or mathematical concepts as such.

Article 4 -- Computer Programs

Computer programs are protected as literary works
within the meaning of Article 2 of the Berne Convention.
Such protection applies to computer programs,
whatever may be the mode or form of their expression.

Which License?

When you use OPC

they determine the license

for **their** code

Which License?

When someone uses your program

you determine the license

for **your** code

...

Which License?

… unless

those pesky OPC licenses

control your redistribution

Which License?

They all do

Why GPL?

What goes in

Must come out

Why GPL?

Unless it stays there

Firesign Theatre

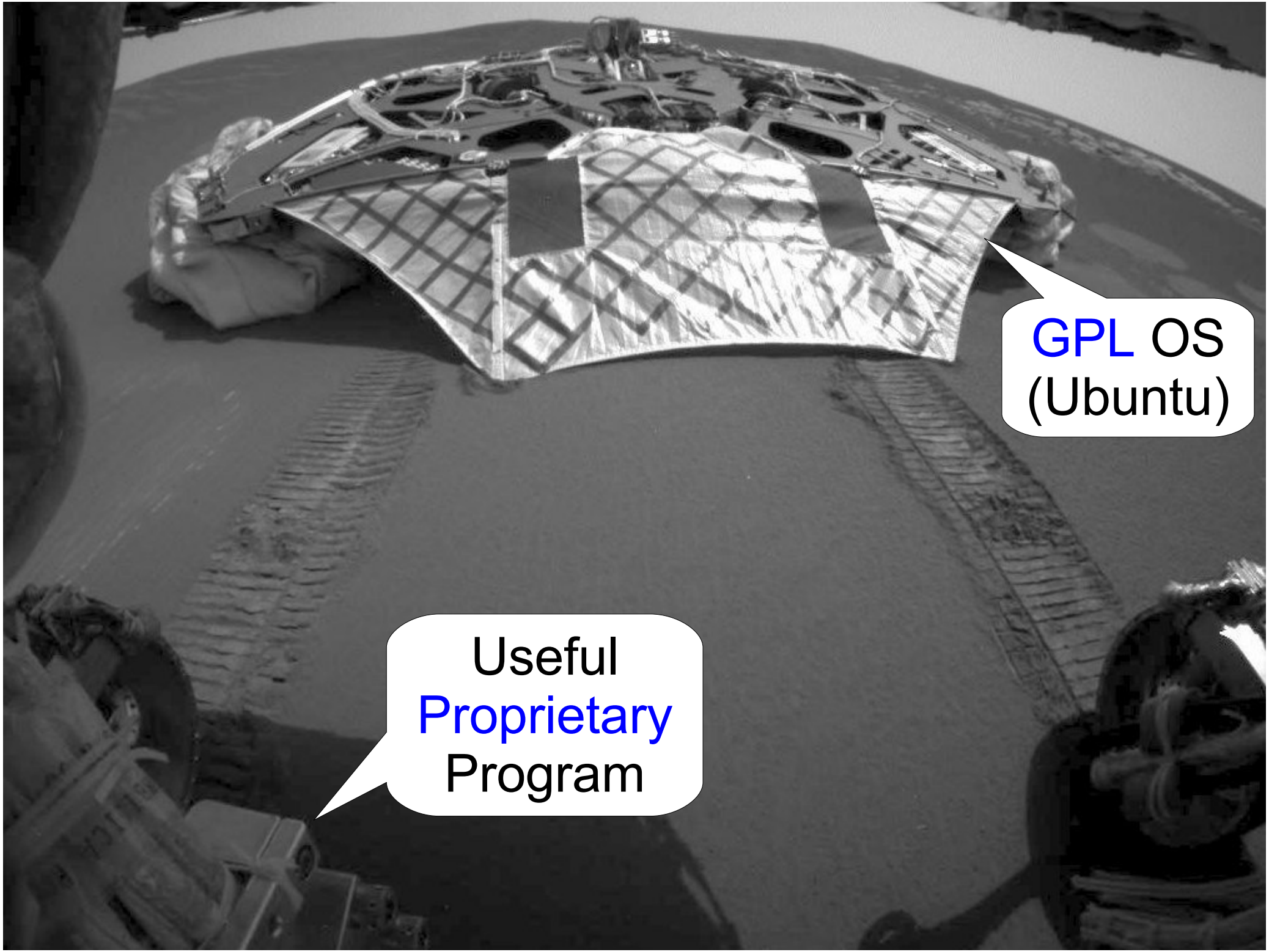
Must I Share My Code?

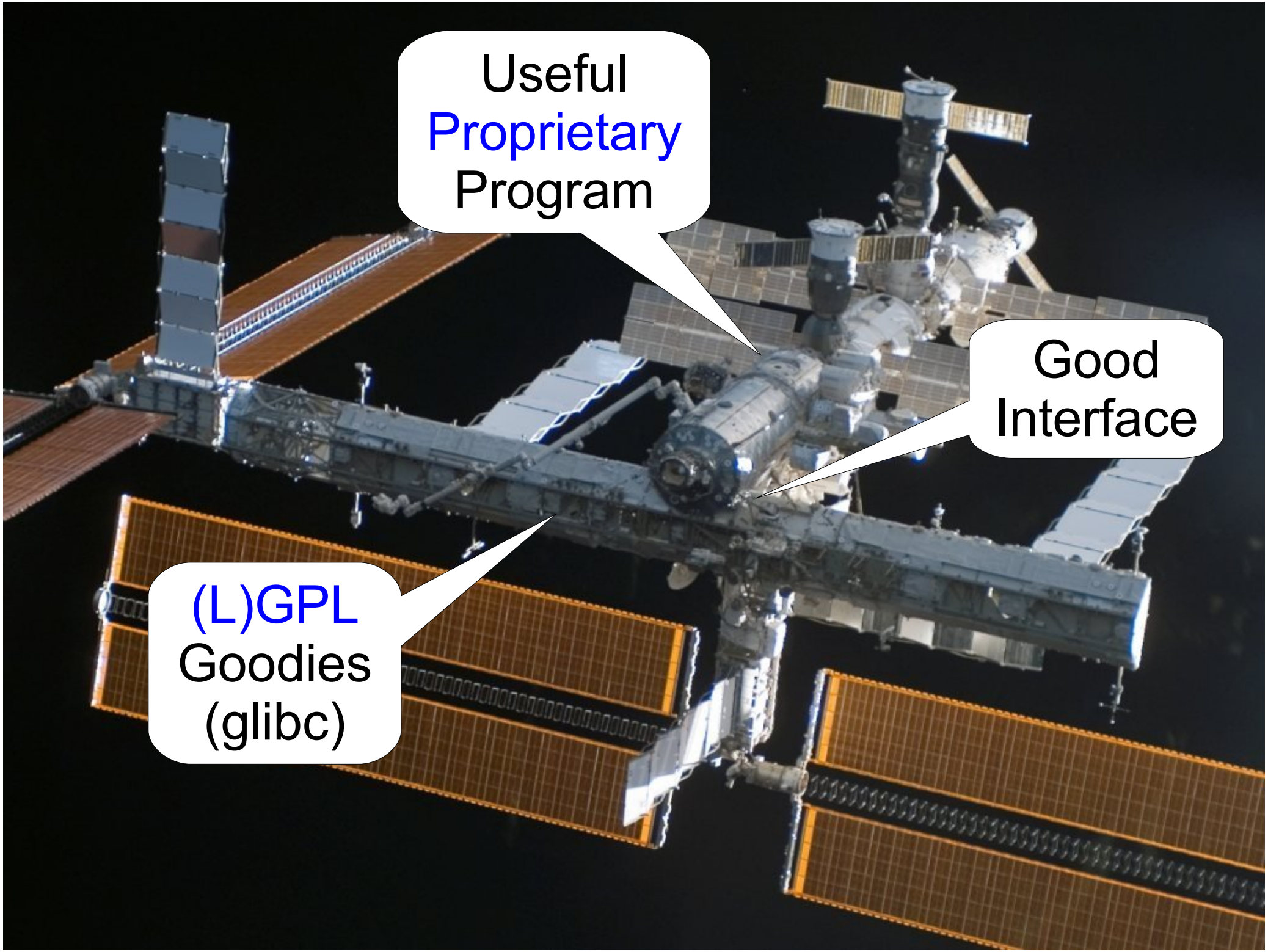
When you

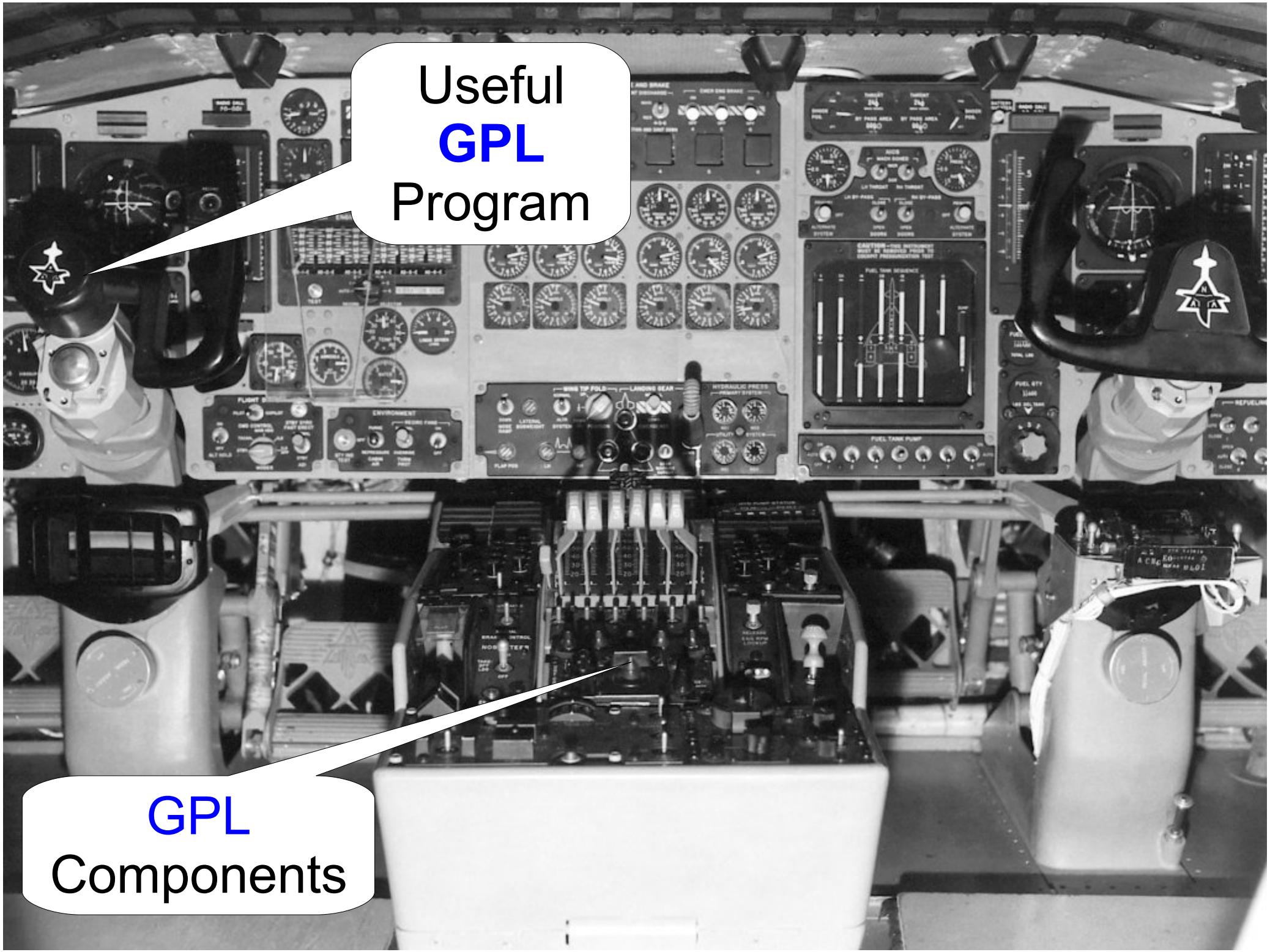
incorporate GPL code

► and ◄

distribute your program


GPL OS
(Ubuntu)
Useful
Proprietary
Program


Useful
Proprietary
Program
Good
Interface
(L)GPL
Goodies
(glibc)

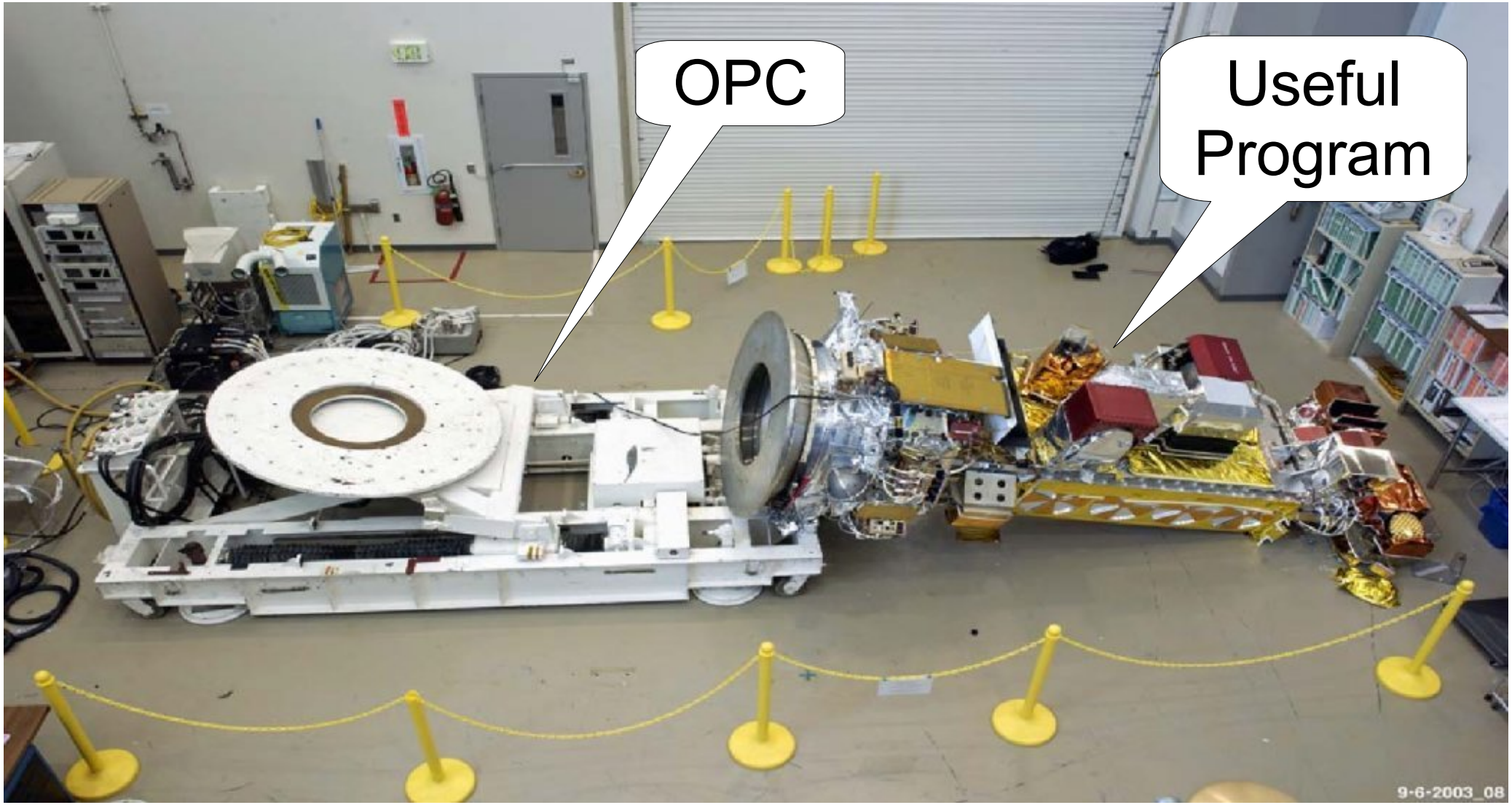

Useful
GPL
Program
GPL
Components

Warranty

Who you gonna call?

~~Useful Program~~
ISAT GeoStar 45
23:15 EST 14 Aug. 2003

Finding (the) Fault



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You must uninstall the software and return any media … to Microsoft with proof of purchase to obtain a refund.

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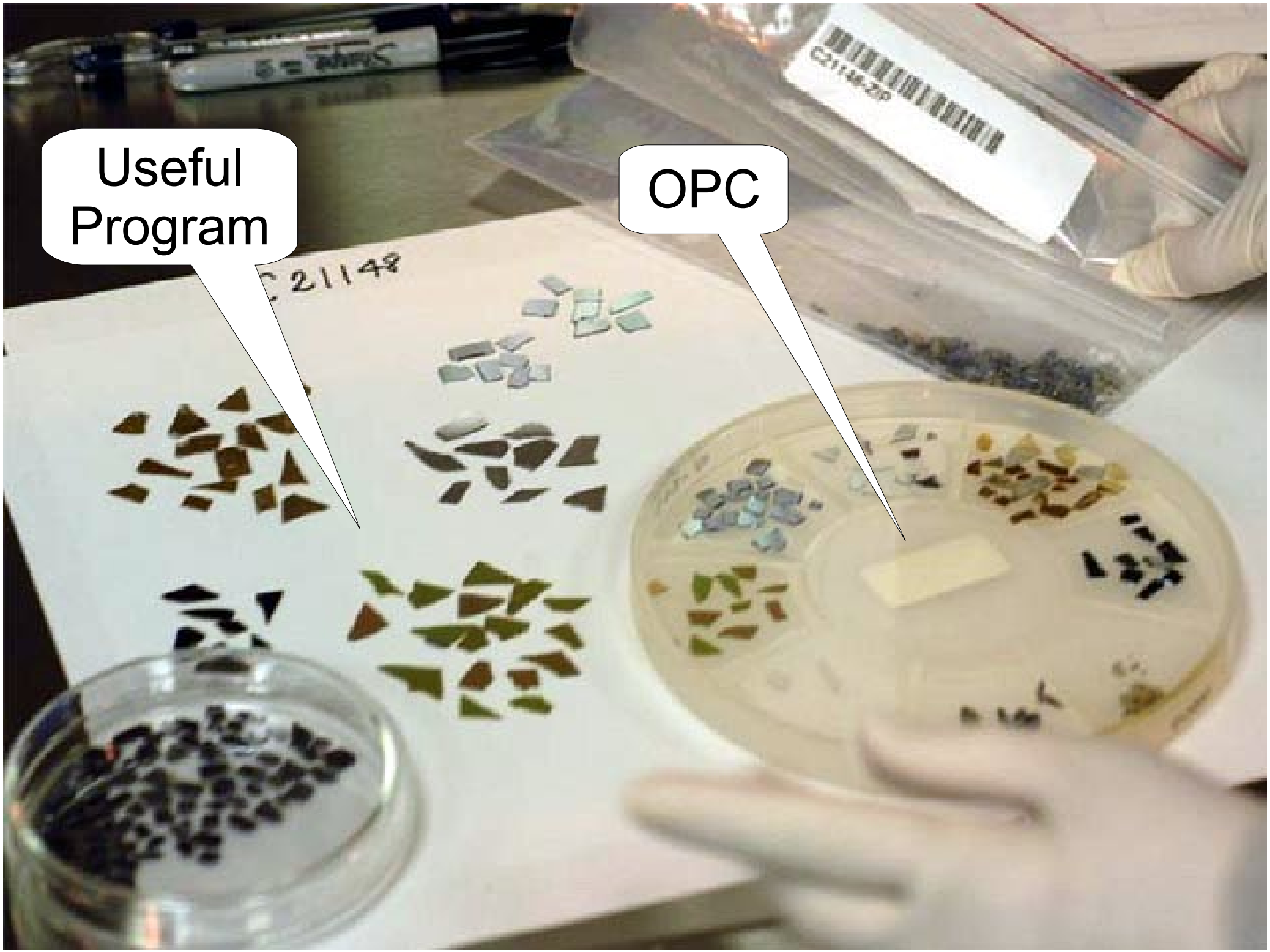
to the extent permitted by applicable law.

…

The entire risk
as to the quality and performance of the program
is with you.

Should the program prove defective, you assume the cost of
all necessary servicing, repair or correction.

OPC
Useful
Program


Useful
Program
OPC

GPL Warranty

When

your program + OPC breaks

you have **all** the pieces

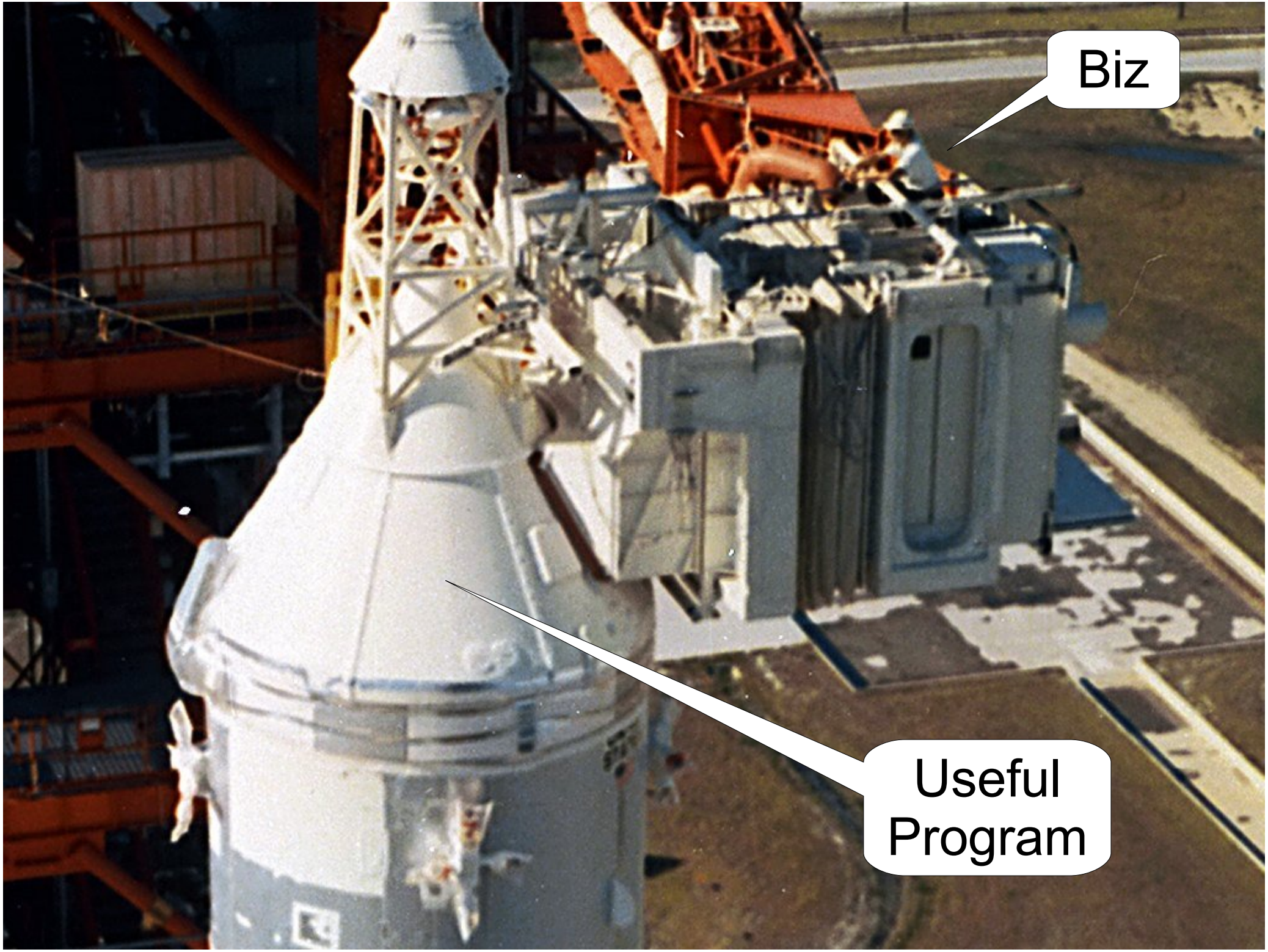
But What About …

When a fellow says,

"It ain't the money
but the principle of the thing,"

it's the money.

Kin Hubbard
or someone like him


Biz
Useful
Program

Biz
Biz
Biz
Useful Program
Biz
Biz
Biz

FS
OS
&
You

Sources

Mother Lode of Copyright info
http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview/index.html

Info on Public Domain
www.copylaw.com/new_articles/PublicDomain.html

Open Source Initiative → www.opensource.org

Free Software Foundation → www.fsf.org

GPL FAQ → www.gnu.org/licenses/gpl-faq.html

Wheeler GPL essay
www.dwheeler.com/essays/gpl-compatible.html

Business models
http://stephesblog.blogs.com/presentations/BrentWilliamsEclipseConV02.pdf

Comparison of GPL to Microsoft EULA
www.cyber.com.au/about/comparing_the_gpl_to_eula.pdf

NASA Imagery
www.nasa.gov/multimedia/highlights/index.html

Copyright-ish Stuff

Images courtesy of NASA/JPL-Caltech
Although they are sorta-kinda un-copyrighted
www.nasa.gov/multimedia/guidelines/index.html

•

The “ISAT Geostar 45” picture is bogus. I mooched it from the ‘Net.
www.breakthechain.org/exclusives/blackoutsat.html

Ditto for the Windows Uh-oh dialog box.
http://officespam.chattablogs.com/archives/Computer-Error-Your-Screwed.jpg

•

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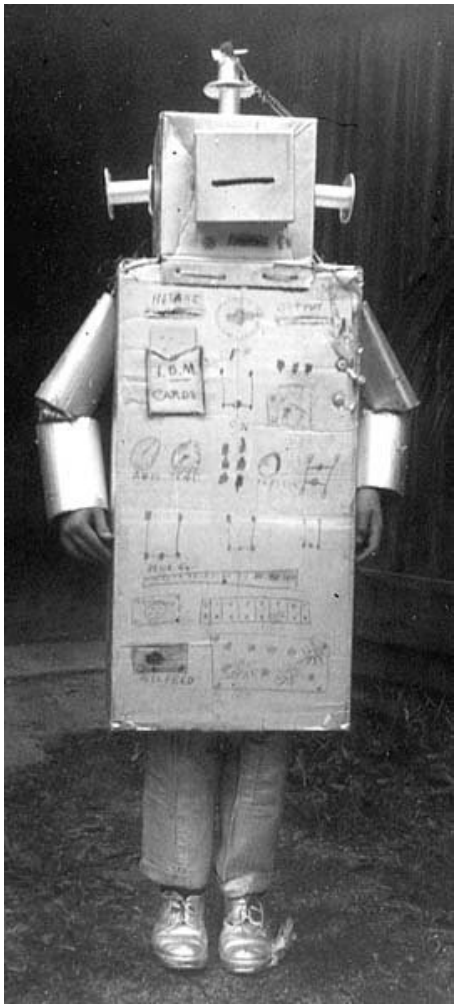
Ed Nisley

Say “NISS-lee”, although we're the half-essed family-tree branch

Engineer (ex PE), Hardware Hacker, Programmer, Author

The Embedded PC's ISA Bus: Firmware, Gadgets, Practical Tricks

Circuit Cellar
- Firmware Furnace (1988-1996) - Nasty, grubby hardware bashing
- Above the Ground Plane (2001...) - Analog and RF stuff

Dr. Dobb’s Journal
- Embedded Space (2001-2006) - All things embedded
- Nisley’s Notebook (2006...) - Where hardware & software collide