The GNU General Public License

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November 7, 2005

Background

1983

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RMS

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net.unix-wizards

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Why I Must Write GNU

I consider that the golden rule requires that if I like a program I must share it with other people who like it. I cannot in good conscience sign a nondisclosure agreement or a software license agreement.

So that I can continue to use computers without violating my principles, I have decided to put together a sufficient body of free software so that I will be able to get along without any software that is not free.

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1991

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RMS & Eben Moglen

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The GNU GPL: Something Different

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Terms in a proprietary license:

(h)   Mandatory Product Activation.   The license rights granted under this Agreement may be limited ... unless you supply information required to activate your licensed copy in the manner described during the setup sequence of the Software.   You may need to activate the Software through the use of the Internet or telephone; toll charges may apply. There are technological measures in this Software that are designed to prevent unlicensed or illegal use of the Software. You agree that [COMPANY] may use those measures and you agree to follow any requirements regarding such technological measures.   You may also need to reactivate the Software if you modify your computer hardware, alter the Software, or install the Software on another computer.   Product activation is based on the exchange of information between your computer and [COMPANY].   None of this information contains personally identifiable information nor can they be used to identify any personal information about you or any characteristics of your computer configuration.

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Preamble to the GNU GPL:

The licenses for most software are designed to take away your freedom to share and change it. By contrast, the GNU General Public License is intended to guarantee your freedom to share and change free software--to make sure the software is free for all its users. ... You can apply it to your programs, too.

When we speak of free software, we are referring to freedom, not price. Our General Public Licenses are designed to make sure that you have the freedom to distribute copies of free software (and charge for this service if you wish), that you receive source code or can get it if you want it, that you can change the software or use pieces of it in new free programs; and that you know you can do these things.

To protect your rights, we need to make restrictions that forbid anyone to deny you these rights or to ask you to surrender the rights. These restrictions translate to certain responsibilities for you if you distribute copies of the software, or if you modify it.

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Preamble to the GNU GPL:

For example, if you distribute copies of such a program, whether gratis or for a fee, you must give the recipients all the rights that you have. You must make sure that they, too, receive or can get the source code. And you must show them these terms so they know their rights.

We protect your rights with two steps: (1) copyright the software, and (2) offer you this license which gives you legal permission to copy, distribute and/or modify the software.

Also, for each author's protection and ours, we want to make certain that everyone understands that there is no warranty for this free software. If the software is modified by someone else and passed on, we want its recipients to know that what they have is not the original, so that any problems introduced by others will not reflect on the original authors' reputations.

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Preamble to the GNU GPL:

Finally, any free program is threatened constantly by software patents. We wish to avoid the danger that redistributors of a free program will individually obtain patent licenses, in effect making the program proprietary. To prevent this, we have made it clear that any patent must be licensed for everyone's free use or not licensed at all.

The precise terms and conditions for copying, distribution and modification follow.

Key points in the preamble:

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Charging $ is not just OK,
it's a guaranteed right.

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You get: right to redistribute
           source code
           right to make derivative works
           informed of rights & obligations
           no warranty
           no restrictions on "use"

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If you distribute modifications,
you must:

>   also use this license
>   provide access to source code
>   provide copy of license
>   make authorship clear
>   license all relevant patents r.f.

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Note:

 This is copyrighted software.

 You only have a (generous) license.

 Ownership remains with author(s).

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Section O: derivative works definition
              "running" is not restricted

special case: self-replicating programs
                 -> output covered

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Section 1:   redistributing verbatim copies

you must: provide (c) notice
provide warranty disclaimer
retain notices of license
retain notices of no warranty
provide copy of license

you may: charge $ for copies
charge $ for warranty

Section 2:   modifying the covered program

you must: note changes and date of change
            distribute only under GPL

if program has a splash screen, then it must announce:

            copyright
            lack of warranty
            right of redistribution
            pointer to license

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Section 2:   modifying the covered program

independent and separate works not covered when distributed separately.

but even independent and separate works, when distributed as part of a whole covered by the GPL, must be licensed under GPL.

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what's a derivative work?

what's a separate and independent work?

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Section 3: copying and distributing

you must do at least one of the following:

    a. provide full machine-readable source
    b. provide a written offer of source, valid
       for three years, to any third party
    c. for non-commercial distribution only,
       you can merely provide notice of the
       offer of source that you received.

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Section 4: termination

follow this license or
your rights under it terminate

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Section 5: implied acceptance

follow this license or
go write your own code

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Section 6: no further restrictions

you may not impose further restrictions on
a recipients' exercise of these rights

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Section 7: royalty-free patent licenses required

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Section 8: geographic limitations permitted

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Section 9: upgrading

"licensed under GPL v. 2 or
any later version"

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Section 10: negotiations and goals

you can always write the FSF or the (c)-holder to negotiate other terms

the FSF has the goals of preserving the free status of all derivatives of its free software and promoting the sharing and reuse of software generally

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Section 11: NO WARRANTY

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Section 12: NO LIABILITY

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Addendum: How to apply these
terms to your new programs

There is an obvious goal of re-use of the
license as the process for applying the
license is explained with careful detail

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Assignment of (C)

vs.

Licensing of (C)

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Questions?

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