

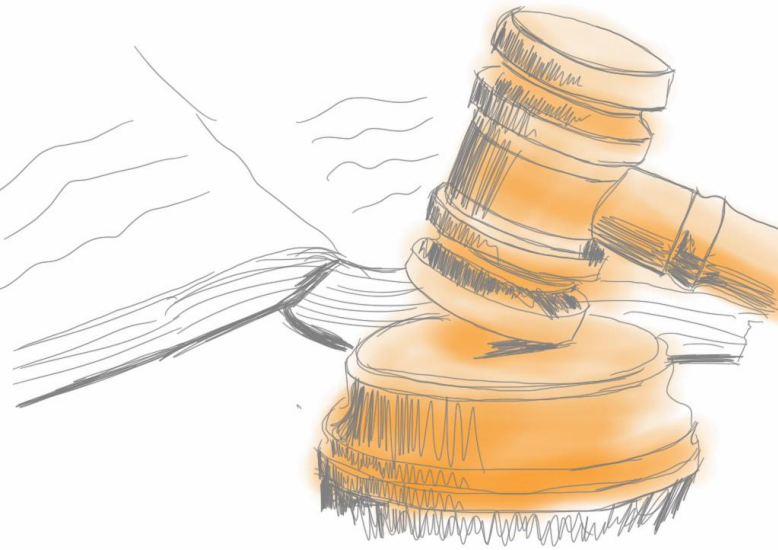
# open licenses

why, what and how to share

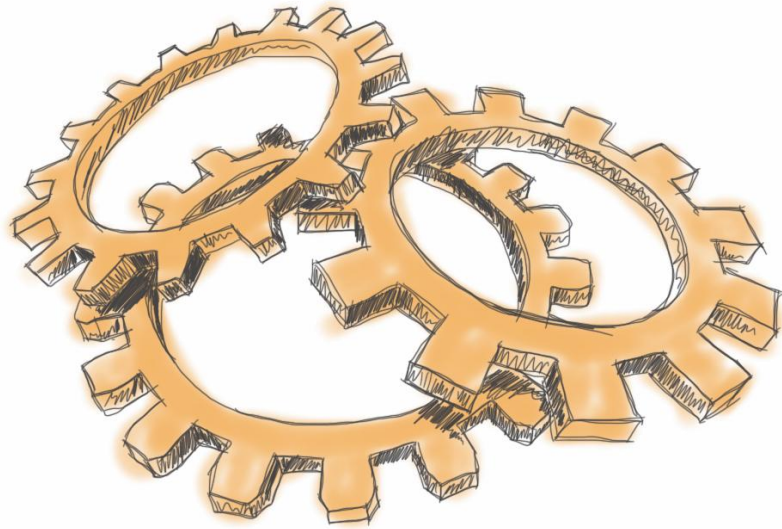
(instead of negotiating every single time)

SELL

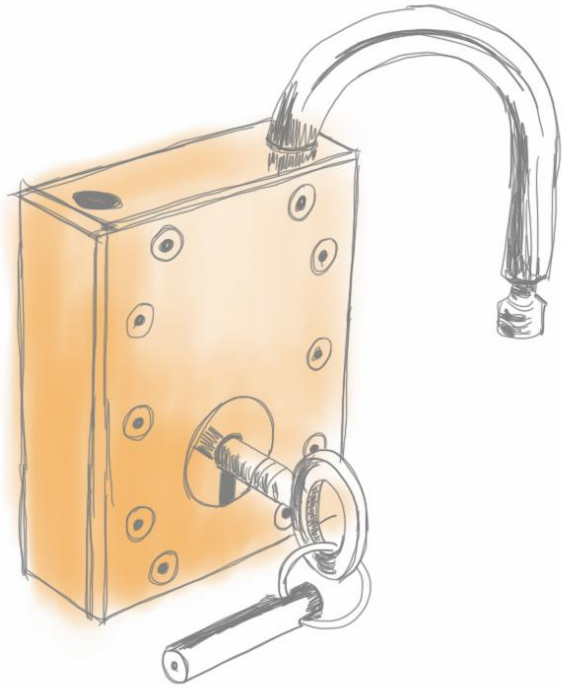
innovative industries  
are different



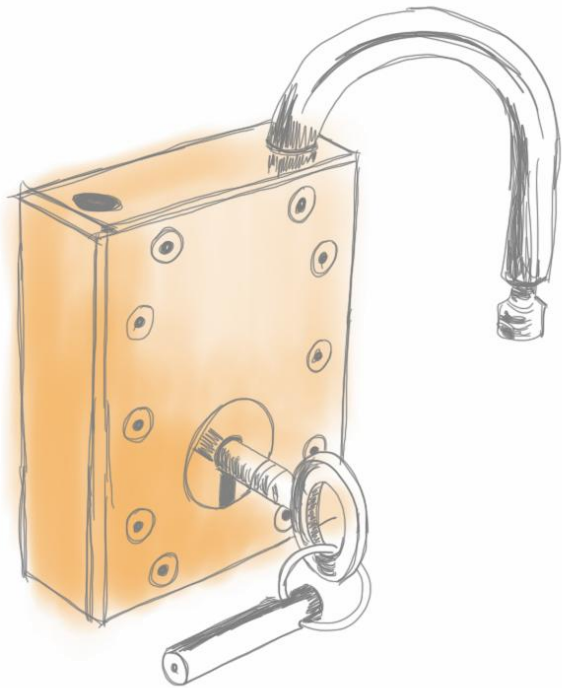
high transaction cost



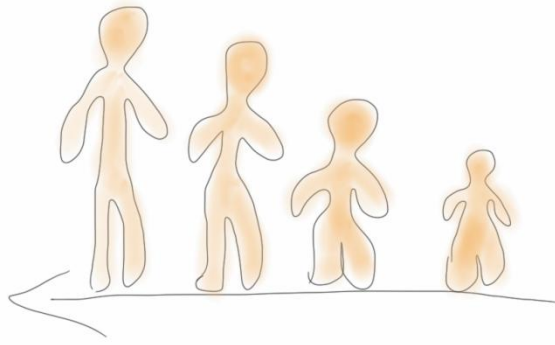
standard license  
is an automated  
contract



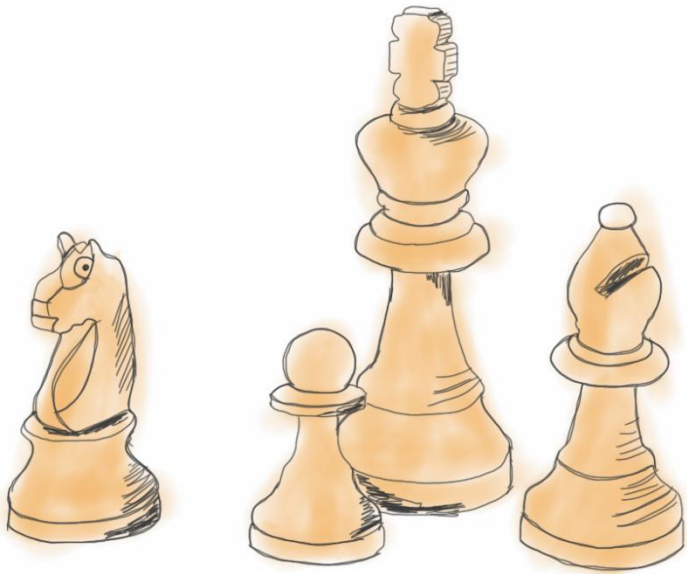
why to share openly?



why to share openly  
where open doesn't  
mean „without  
conditions“?



peer pressure/stature

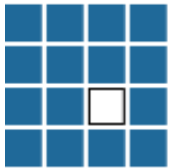


business strategy





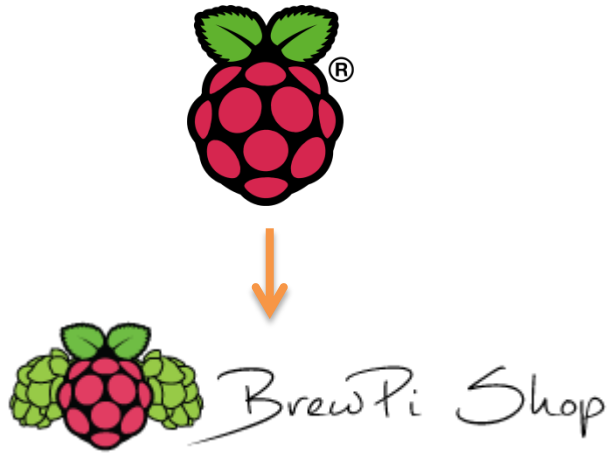
business strategy:  
redefine business  
model (income  
sources) including  
multiple licensing



**International  
SAE Consortium**

---

business strategy:  
make it harder to  
block you



business strategy:  
make an industry  
standard



copyleft

licensing strategies:

strong copyleft

weak copyleft

non-copyleft

case-by-case decisions

# Examples: source code

less viral,  
less restrictive  
less control  
over re-use



Affero GPL

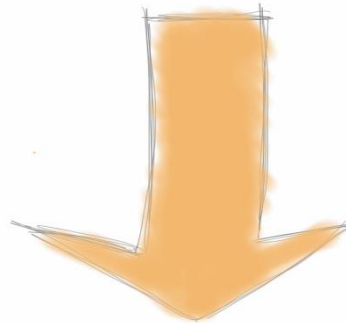
LGPL

Apache License

License	Proprietary Software Linking	Distribution of "the Work"	Redistributing of the code with changes	Compatible with GNU GPL
GPL	Not allowed (since the linked software is considered a whole)	Not allowed with software whose license is not GNU GPL compatible.	Only if the derivative is GNU GPL.	Yes
LGPL	Allowed (since the software that links to the library is not considered a derivative work)	Allowed with some restrictions: You have to provide source code of the distributed LGPL library with (if any) modifications, changes to the LGPL library should be allowed to third parties and if BC your app/lib should still work with the modified LGPL lib/app.	Only if the derivative is GNU LGPL or GNU GPL.	Yes
Apache Public	Allowed.	Allowed.	Allowed (as long as the name "Apache" isn't used in the name of the derivative work)	No



= 69 Open Source licenses  
= mess of incompatibility



# tl;drLegal

human readable summaries: <http://www.tldrlegal.com/>



# Examples: content

less viral,  
less restrictive  
less control  
over re-use



CC-BY-NC\*-SA

CC-BY-NC

CC-BY

\*controversial



Creative Commons  
licenses are fully  
automated  
(sort of)

Compatibility chart		Terms that may be used for a derivative work or adaptation						
		BY	BY-NC	BY-NC-ND	BY-NC-SA	BY-ND	BY-SA	PD
Status of original work	PD	■	■	■	■	■	■	■
	BY	■	■	■	■	■	■	
	BY-NC		■	■	■			
	BY-NC-ND							
	BY-NC-SA				■			
	BY-ND							
	BY-SA						■	

<http://wiki.creativecommons.org/FAQ>

small number of licenses = small number of incompatibilities

# Examples: patents

less viral,  
less restrictive  
less control  
over re-use



BIOS open access

GX Research Non-  
Assertion Pledge

public domain

# BiOS

(...) cost-free access to any BIOS technologies, based on the open access license which commits the licensee

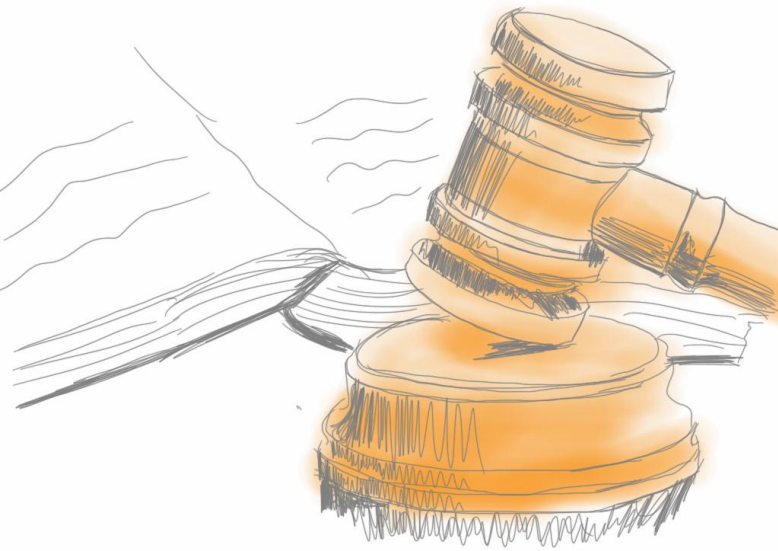
- a) to grant back to BIOS rights to any improvements made,
- b) to collectively defend the protected commons of BIOS technologies and
- c) to share regulatory and biosafety information with all licensees.

source: <http://www.bios.net/daisy/bios/10/version/live/part/4/data>

**THEGREENXCHANGE**

(...) patent owner commits to non-enforcement of patents against users engaged in basic non-profit research (...)

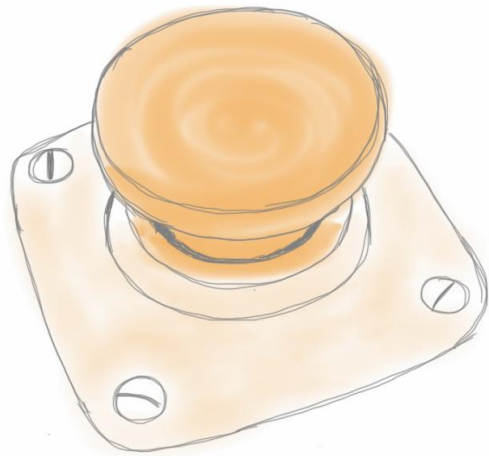
source: [http://wiki.creativecommons.org/GX\\_FAQ](http://wiki.creativecommons.org/GX_FAQ)



BUT STILL  
patents = lawyers  
(and high transaction costs)

take away messages

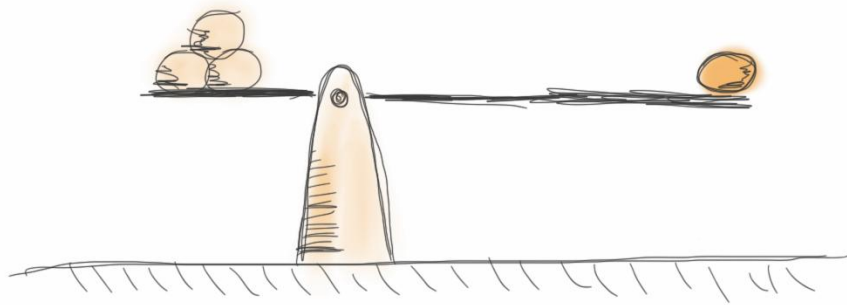




standard licensing  
lowers transaction  
costs

open  $\neq$  unconditional

(at least not always)



Leverage by open  
licensing

thank you

questions, comments, follow-ups

[ps@pawelszczesny.org](mailto:ps@pawelszczesny.org)