

# Update of the constitution: introduction to GPLv3



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# Introduction

## GNU General Public License, version 2

- in service since June 1991
- written by Richard Stallman, published by Free Software Foundation
- invented Copyleft principle
- most popular Free Software license, covers estimated 50-70% of all Free Software
- most successful license ever and more than a license: social contract and promise

## Why and what to change?

# Change Overview

- Insubstantial changes
  - adaptation to advances in technology
  - clarifications
  - internationalisation
- Substantial changes
  - Digital Restrictions Management (DRM)
  - Software Patents
  - License Compatibility

**Central Principle:  
Change as little as possible!**

# Digital Restrictions Management

## DRM Nightmares

- Power: Loss of control
- Security: User is enemy
- Finance: Major cost **after** sales

**DRM = fundamentally  
incompatible with freedom!**

**GPLv3 does not address this problem!**

# Digital Restrictions Management

Software is also data on a computer:

- TiVo-isation: freedom only on paper
- global legislation against self-defense

GPLv3 DRM changes:

- **Require means:**  
You can build DRM around GPLv3 software, but have to provide means to exercise rights
- **Self-defense permission:**  
You can build DRM systems with GPLv3 software, but give permission to write interoperable software

# Software patents

Software patent defense already part of GPLv2!

## GPLv2 “Liberty or Death” clause:

- if software patent is used against GPLv2 software, it cannot be distributed at all
- avoids “Free Software Zombies” – enslaved programs that would be free if no patent existed
- reason: denies profit from enslaving

**This clause remains in GPLv3!**

# Software patents

GPLv3 software patent additions:

- **Explicit patent grant:**  
similar to other Free Software licenses: from implicit patent grant under US law to explicit patent grant under all laws
- **Prevent collusion schemes:**  
if immunised against known problem, distributor needs to shield everyone else
- **Narrow retaliation:**  
retaliate against attacks on others when not releasing/distributing, e.g. web applications

# License compatibility

Compatibility = ability to combine code

GPLv3: systematic, not per-license compatibility

GPLv3 allowed additional requirements:

- **Attribution/Copyright:**  
author/legal/copyright/attribution notices
- **Liability:**  
different forms of warranty and liability
- **Publicity limitations:**  
regulate publicity use of author/institution name, and/or trademarks



# License compatibility

GPLv3 allowed additional requirements (continued):

- **Automated source retrieval:**  
derivatives must provide automated facilities to retrieve their source code; a.k.a. “Affero” requirement
- **Extended patent retaliation:**  
all patent retaliation that does not support aggression

GPLv3 is more modular, allows experiments, and will be compatible with future Copyleft licenses

# Important Notes

- **No complete description:**
  - focussed on goals, ideas, reasons, not legal language
  - **one more insubstantial change,**  
**Termination:**  
automatic termination to non-automatic termination 60 days after notice. hotly debated, future unclear
- **No GPLv3 exists today:**
  - All of this is from the first draft of GPLv3, at least one more to come
  - Do not use GPLv3 yet, help improve

# GPLv3 process

- **Help debug GPLv3:**
  - Draft and rationale of all changes:  
<http://gp1v3.fsf.org>
  - Online comment system, hundreds of entries
  - **Your** comments welcome
- **Process timeline:**
  - draft published January 2006; two international, several national conferences
  - first revision break ongoing; process will continue through 2006
  - publication planned: Jan/Feb 2007

# Upcoming

- **3rd international conference on GPLv3**
  - 22 & 23 June 2006
  - Barcelona, Spain
  - ?2nd draft of GPLv3?
- **Making GPLv3 the best license possible**
  - depends on maximum participation
  - the time to be involved is **now**

**Hope to see you in Barcelona!**

# Contact

**Thank you for your attention!**

Digital Respect for the Masses!



<http://gplv3.fsf.org>

- Free Software Foundation Europe:  
<http://fsfeurope.org>
- Get involved, defend your freedom:  
<http://www.fsfe.org>