



Joinup Licensing Assistant

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EOLE event

(European Open-source & free software
Lawyer Event)

Paris, 5 December 2018

11H15 - 12H45 - Projection 2ème étage



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ISA² MID-TERM CONFERENCE

Linking public administrations, businesses and citizens

29 November 2018 – Brussels

#ISA2CONF18



Opened by EU
Commissioner for
Digital Economy and
Society, **Mariya
Gabriel**



Presented the current
state of
implementation of the
new [European
Interoperability
Framework](#) as well as
the [interoperability
solutions](#) developed
by ISA²



The lack of **legal
interoperability**
recognised as one the
main barriers for
interoperability



The European public
sector, EU institutions
and Member States
are facing **licencing
issues** when applying
their sharing and
reusing policy

Examples of ISA² Solutions



JOINUP

A collaborative platform facilitating the sharing and reuse of IT solutions developed for public administrations



The European Union Public Licence (EUPL)

To publish your software, data, documents, specifications or source codes under an open source licence that has a clear legal standing in European law



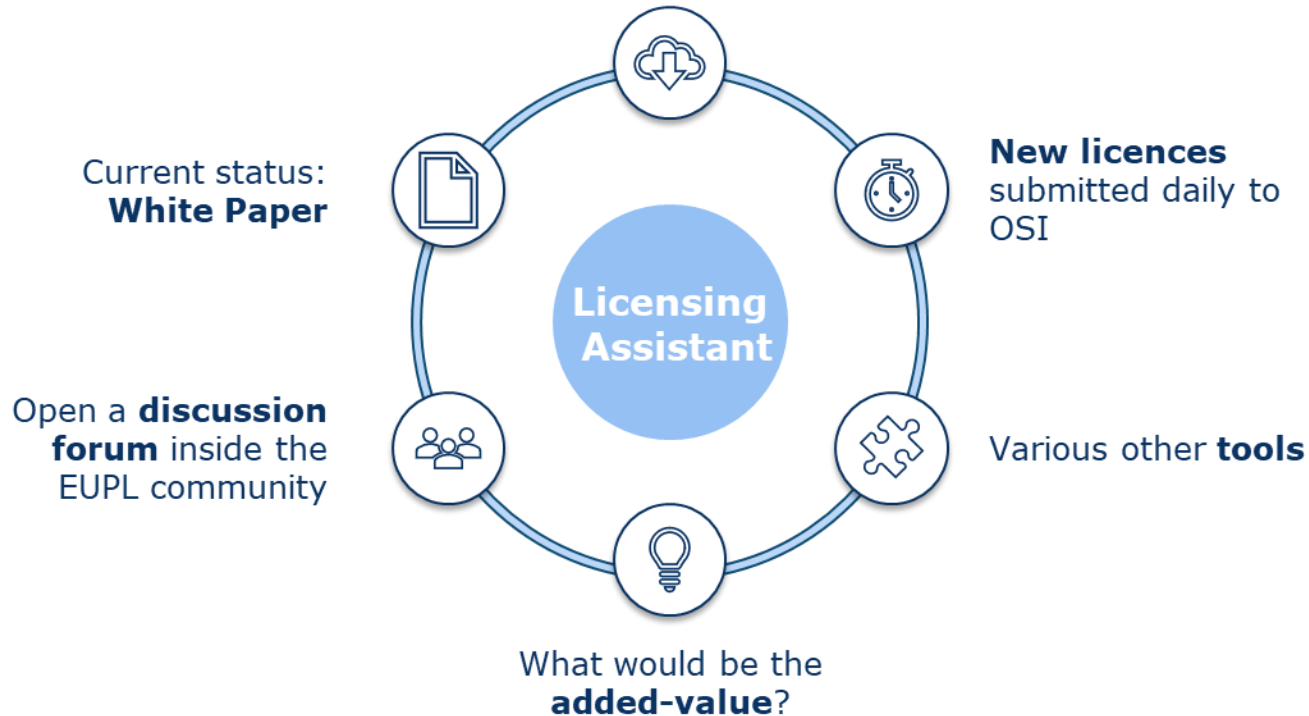
Other Solutions

+ EIRA, CarTool, DCAT, Core Vocabularies, ADMS, CPSV, NIFO, e-DRA, IMAPS, Re3gistry, LEOS, TESTA, VocBench3, ... etc...

Licensing Assistant: A new solution



350 **licence texts**
currently on SPDX



Objectives

Supporting users, in particular public administrations

Selecting licences on their **content, support** and **interoperability**

Opening a dynamic **discussion forum** on Joinup

Existing classification: OSI



Licences are **international** and '**popular** and **widely-used** or with strong communities'

Various types of licences:

- Special purpose;
- Other/miscellaneous;
- Non-reusable;
- Superseded;
- Voluntarily retired;
- Redundant with more popular licences;
- Uncategorised.

Specificities

- Varying usefulness of categories
- No selection of content



Existing classification: FSF



The FSF **classifies licences** into three categories:

- Free and compatible with the GPL(s);
- Free and incompatible with the GPL(s);
- Non-Free (and therefore incompatible).

Specificities:

- GPL-centric;
- Compatible with GPL means "GPL2+" / "AGPL+";
- Understanding of "copyleft" in case of linking;
- Providing interesting comments.

Existing classification: SPDX



Multiple, representative **stakeholders**

Important **standardisation** regarding names and identifiers

Licence **repository** (350) linking with full text

Supports mentions "OSI approved" and "FSF free/libre"

The **objective** is not to facilitate licence selection based on content (i.e. permissions, obligations, prohibitions, etc.)

Some studies and books on the topic



"Recueil de fiches explicatives de licences libres" by Steer & Fitzgibbon, *INRIA*



"L'option libre – Du bon usage des logiciels libres" by Benjamin Jean



Works of IFRoss (Germany) and IFOSSLR articles



"Assisting software developers with licence compliance" (2018 thesis)



And many others...



Tools (1/2)



Choosealicense.com

- 3 licences in front (GPL-3, Apache, MIT)
- 4 more in option
- 27 more in appendix

GNU AGPLv3

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Permissions

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- Liability
- Warranty

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Tools (2/2)



User-friendly, but:

- No **interactive** selection
- Some **useless** categories (e.g. private use, warranty)
- **Missing** categories (e.g. compatibility, SaaS, legal, support, languages)

Choose
a licence

Copyright / Share-alike

Copyright obligations apply to:

- ☐ Only modified files
- ☐ Derivative works / Adaptations
- ☒ Derivative works / Adaptations, but linking excepted
- ☐ Compilations / larger works

Copyright obligations engage upon:

- ☐ Distribution
- ☒ Access over a computer network (Afferro)
- ☐ Mere use

Joinup

- **Licence wizard** / compatibility matrix (...2011)

CIPPIC
Project

- **Elaborated** grid
- Standard licence '**rewriting**'
- Little **selection** facilities

Rights & Permissions

Rights Granted

- ☒ Use and Reproduce ☒ Modify ☒ Distribute

Covered
Categories of
Rights (whether
granted or
waived)

- ☒ Copyright ☐ Neighbouring rights
☐ Sui generis database rights ☒ Moral rights
☒ Trade-marks ☒ Patents (explicitly covered)
☐ Circumvention of TPMs (you are permitted to circumvent)

Prohibitions

- ☐ Commercial use prohibited
☐ TPMs/DRM prohibited
☐ TPMs/DRM prohibited unless parallel distribution provided
☐ Patent actions prohibited (licence includes patent retaliation clause)



- Interactive
- Allowing selection
- User-friendly
- EU-owned software
- Multilingual

Licensing Assistant

Data which is shared with a licence becomes Open Data. There are many licences available. The licence assistant provides a description of the available licences. It also gives an overview of how to apply licences as re-publisher/distributor of Open Data and how to combine multiple licences.

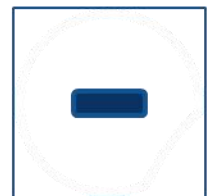
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| | Obligation | Permission | Prohibition |
|--|--|---|--------------------------------|
| | Notice Attribution Sharealike Lesser Copyleft Copyleft State Changes | Distribution Reproduction Derivative Works Sublicensing Use patent claims | Commercial use |

| Name | Terms |
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- Data licences only
- Limited categories





Joinup licensing assistant

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|-----------------|---------------|-------------------|-----------------|-------------|------------------|
| Notice | Reproduction | No commerce | None N/A | EU / MS law | Strong community |
| Attribution | Distribution | No change | Permissive | US law | Government/EU |
| State changes | Derivatives | Ethical clauses | With GPL | Other law | OSI approved |
| Copyleft | Sub-licensing | Public sect. only | Other copyleft | Non fixed | FSF free/libre |
| Share alike | Use patents | | Linking freedom | Venue fixed | |
| Lesser copyleft | | | Multilingual | | |
| Cover SaaS | | | OK for data | | |
| | | | OK for software | | |

SPDX

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Non Commercial No
Derivatives 4.0 International

Licence text

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Permission: Reproduction Permission: Distribution
Prohibition: No commerce Prohibition: No change
Compatibility: None N/A Compatibility: Multilingual
Compatibility: OK for data
Law: Non fixed Support: Strong community

Definitions

Advanced settings

Information

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Project phases



Step 1

**White Paper
(November
2018)**

Published on
[Joinup](#)

Step 2

**[Discussion
Forum](#)
(December/
January 2019)**

Assessing
opportunity /
objectives /
which categories?

Step 3

Specifications

Reusing
European Data
Portal software

Step 4

**Developments
/ Tests**

Step 5

**Operation /
Governance**

EUPL community
/ Joinup (130
members)

Questions?





ISA² programme

You click, we link.

Stay in touch

ec.europa.eu/isa2



isa2@ec.europa.eu



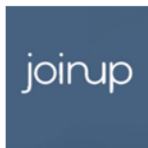
ISA² Programme



ISA² Programme



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Joinup



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Open Source
Observatory (OSOR)



@OSOReu



European Union Public
Licence (EUPL)

Run by the Interoperability Unit at DIGIT (European Commission) with 131€M budget, the ISA² programme provides public administrations, businesses and citizens with specifications and standards, software and services to reduce administrative burdens.

ISA²