



# 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

# Disclaimer



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# ISA<sup>2</sup> 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 ISA<sup>2</sup>



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 ISA<sup>2</sup> 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



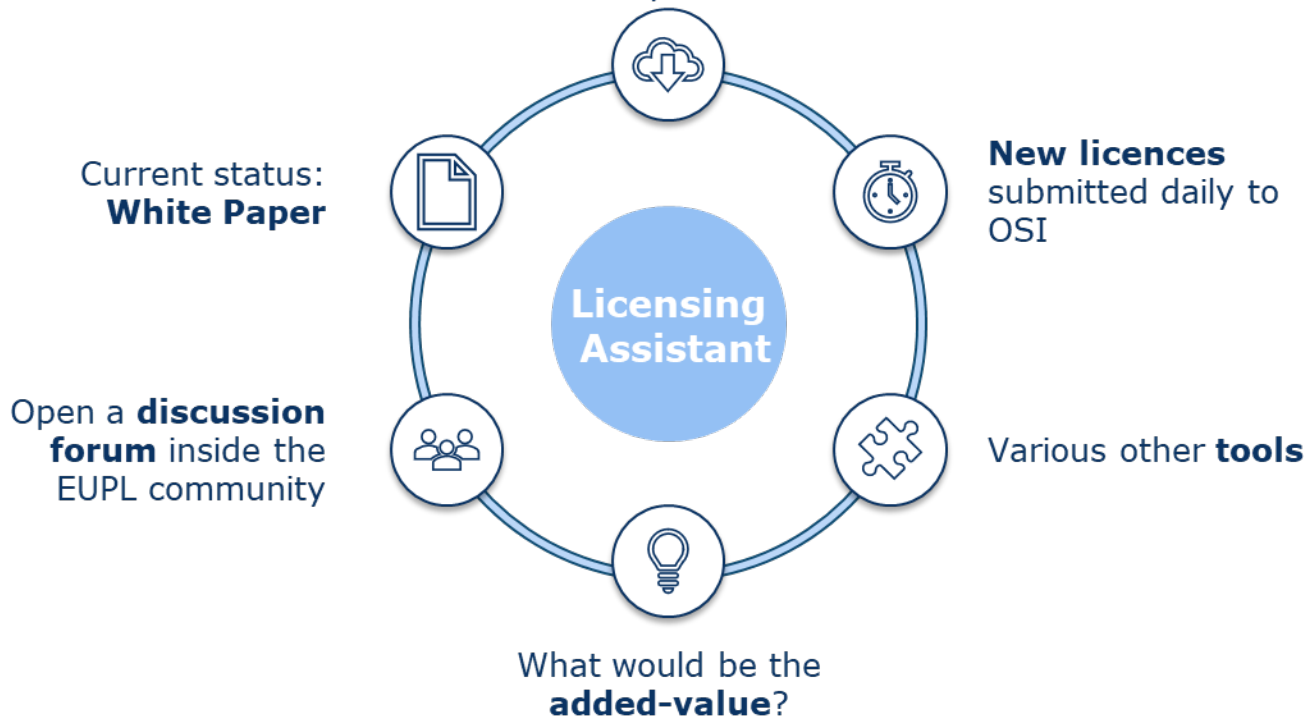
## Other Solutions

+ 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- Superseded;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)



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

### GNU AGPLv3

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Academic Free License v3.0	●	●	●	●	●		●			●	●	●	●
GNU Affero General Public License v3.0	●	●	●	●	●	●	●	●	●	●	●		●
Apache License 2.0	●	●	●	●	●		●			●	●	●	●
Artistic License 2.0	●	●	●	●	●		●			●	●	●	●
European Union Public License 1.1	●	●	●	●	●	●	●	●	●	●	●	●	●
European Union Public License 1.2	●	●	●	●	●	●	●	●	●	●	●	●	●
GNU General Public License v2.0	●	●	●		●	●	●		●	●	●		●
GNU General Public License v3.0	●	●	●	●	●	●	●		●	●	●		●
Creative Commons Attribution 4.0 International	●	●	●	●	●		●			●	●	●	●
Creative Commons Attribution Share Alike 4.0 International	●	●	●	●	●		●		●	●	●	●	●

# Tools (2/2)



**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



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



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

**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)



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



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

Datasets Catalogues Metadata Quality **Licensing Assistant** SPARQL Manager Statistics

## Licensing Assistant

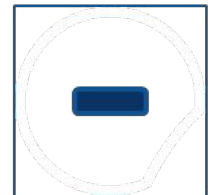
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CC-BY 4.0	Obligation: Notice Permission: Reproduction	Obligation: State Changes Permission: Derivative Works	Permission: Distribution Obligation: Attribution

- Data licences only
- Limited categories





## Joinup licensing assistant

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Obligations ?	Permissions ?	Prohibitions ?	Compatibility ?	Law ?	Support ?
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		

Definitions

Information

SPDX

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Non Commercial No  
Derivatives 4.0 International

Licence text

Obligation: Notice    Obligation: Attribution  
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

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# Project phases



## Step 1

## Step 2

## Step 3

## Step 4

## Step 5

**White Paper  
(November  
2018)**

**Discussion  
Forum  
(December/  
January 2019)**

**Specifications**

**Developments  
/ Tests**

**Operation /  
Governance**

Published on  
[Joinup](#)

Reusing  
European Data  
Portal software

Assessing  
opportunity /  
objectives /  
which categories?

EUPL community  
/ Joinup (130  
members)

# Questions?





# ISA<sup>2</sup> programme

*You click, we link.*

Stay in touch

[ec.europa.eu/isa2](http://ec.europa.eu/isa2)



[isa2@ec.europa.eu](mailto:isa2@ec.europa.eu)



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Joinup



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Open Source  
Observatory (OSOR)



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European Union Public  
Licence (EUPL)

Run by the Interoperability Unit at DIGIT (European Commission) with 131€M budget, the ISA<sup>2</sup> programme provides public administrations, businesses and citizens with specifications and standards, software and services to reduce administrative burdens.

ISA<sup>2</sup>