



Delta Source: New Licensing Models
Heather Meeker



Restrictions versus Conditions

What is Open Source Licensing?



GNU Operating System
Sponsored by the Free Software Foundation

JOIN THE FSF
Free Software Supporter
email address Sign up

ABOUT GNU PHILOSOPHY LICENSES EDUCATION SOFTWARE DOCS HELP GNU More ▼

What is free software?

The Free Software Definition

The free software definition presents the criteria for whether a particular software program qualifies as free software. From time to time we revise this definition, to clarify it or to resolve questions about subtle issues. See the [History](#) section below for a list of changes that affect the definition of free software.

Here's a question about free software licensing not answered here? See our other [licensing resources](#), and if necessary contact the FSF Compliance Lab at lawfare@fsf.org.

"Open source" is something different: it has a very different philosophy based on different values. Its practical definition is different too, but nearly all open source programs are in fact free. We explain the difference in [Why "Open Source" misses the point of Free Software](#).

"Free software" means software that respects users' freedom and community. Roughly, it means that the users have the freedom to run, copy, distribute, study, change and improve the software. Thus, "free software" is a matter of liberty, not price. To understand the concept, you should think of "free" as in "free speech," not as in "free beer". We sometimes call it "libre software," borrowing the French or Spanish word for "free" as in freedom, to show we do not mean the software is gratis.

Freedom Zero

The four essential freedoms -- <https://www.gnu.org/philosophy/free-sw.en.html>

A program is free software if the program's users have the four essential freedoms:

- The freedom to run the program as you wish, for any purpose (freedom 0).
- The freedom to study how the program works, and change it so it does your computing as you wish (freedom 1). Access to the source code is a precondition for this.
- The freedom to redistribute copies so you can help others (freedom 2).
- The freedom to distribute copies of your modified versions to others (freedom 3). By doing this you can give the whole community a chance to benefit from your changes. Access to the source code is a precondition for this.

Conditions -- GPL 3.0

5. Conveying Modified Source Versions.

You may convey a work based on the Program, or the modifications to produce it from the Program, in the form of source code under the terms of section 4, provided that you also meet all of these conditions:

- a) The work must carry prominent notices stating that you modified it, and giving a relevant date.
- b) The work must carry prominent notices stating that it is released under this License and any conditions added under section 7. This requirement modifies the requirement in section 4 to “keep intact all notices”.
- c) You must license the entire work, as a whole, under this License to anyone who comes into possession of a copy. This License will therefore apply, along with any applicable section 7 additional terms, to the whole of the work, and all its parts, regardless of how they are packaged. This License gives no permission to license the work in any other way, but it does not invalidate such permission if you have separately received it.

Restrictions -- Creative Commons NC

4. Restrictions. The license granted in Section 3 above is expressly made subject to and limited by the following restrictions:...

You may not exercise any of the rights granted to You in Section 3 above in any manner that is primarily intended for or directed toward commercial advantage or private monetary compensation. The exchange of the Work for other copyrighted works by means of digital file-sharing or otherwise shall not be considered to be intended for or directed toward commercial advantage or private monetary compensation, provided there is no payment of any monetary compensation in connection with the exchange of copyrighted works.

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Delta Source - New Licensing Models

Also available as part of the eCourse

[2019 Technology Law eConference](#)

First appeared as part of the conference materials for the

32nd Annual Technology Law Conference session

"Delta Source - Open Source and Hybrid Licensing"