

Avoiding Open Source Lawsuits

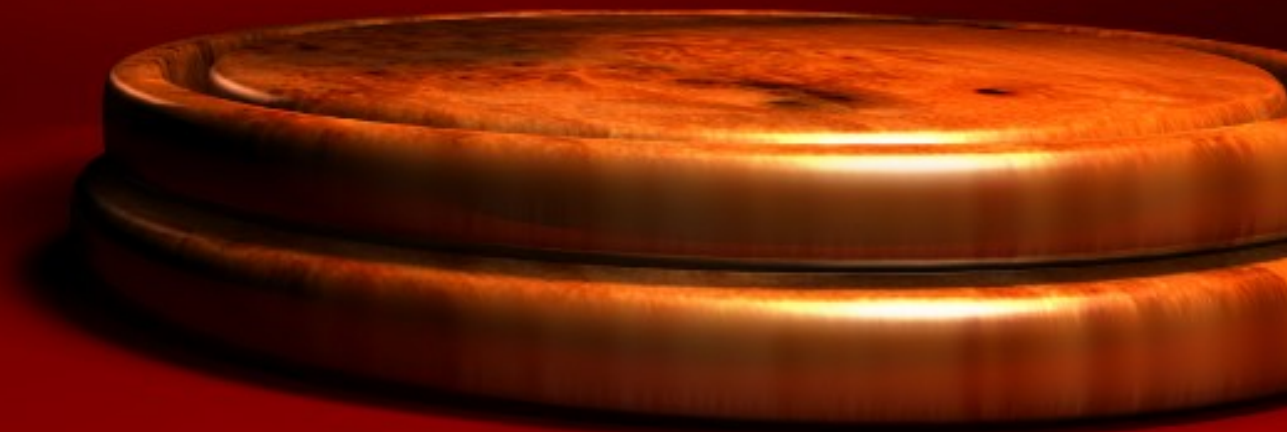
Stormy Peters


How to show your manager that
you are ...

Avoiding Open Source Lawsuits

Stormy Peters

Disclaimer:
I'm not an attorney!



A man with long hair and a beard, wearing a black cowboy hat and a dark shirt, is shown from the chest up. He is holding two large, translucent red dice in his hands, one in each hand, as if he is about to roll them. The background is a dark, solid green color. The lighting is dramatic, highlighting the man's face and the dice.

Odds
are small



But it doesn't
matter if you are right

SFLC conducts about
50 actions a year

Not to scare



Photo by jacalynsnana



Encourage good
open source use



Am I using
open source
software?

Yes!

3-10x as much

How can you
be sued?



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infringes

patents, trademarks, copyright

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Violation of the license

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But I only use a
few open source things...

Just 5 things ...

- Ant
- MySQL
- MySQL Server Connector
- AspectJ
- Spring Framework



Photo by izumiflowers

Ant (7 bundled)

- Apache xml-apis (1.5)
- Xerces (2.6.2)
- BCEL (5.1)
- BeanShell (1.3.0)
- BSF (2.3.0)
- JUnit (3.8.1)
- JDK (1.4.2_12)

MySQL Connector (9)

- Ant-Contrib (1.0-b2)
- AspectJ (1.2)
- c3p0 (0.9.1-pre6)
- Commons Logging (1.0.4)
- JBoss Application Server (3.2.7)
- JDBC (2_0)
- JTA (1.0.1)
- JUnit (3.8.1)
- Log4j (1.2.9)

AspectJ (19)

- Ant (1.6.3)
- Apache Avalon (4.1.2)
- ASM (2.0)
- ASM (2.2.1)
- Batik (unknown)
- BCEL (5.1)
- Commons BeanUtils (unknown)
- Commons Digester (unknown)
- Commons Logging (unknown)
- DocBook XML (4.1.2)
- DocBook XSL Stylesheets (1.44)
- FOP (0.20.5)
- JDiff (unknown)
- JUnit (3.8.1)
- Jython (2.1)
- Regexp (1.2)
- Saxon (unknown)
- Xalan (2.4.1)
- JDK (1.4.2_12)

Spring Framework (61)

- ActiveMQ (1.1)
- Ant (1.6.5)
- ANTLR (2.7.5H3)
- AOP Alliance (1.0)
- Apache (OJB) (1.0.4)
- Apache xml-apis (1.2.01)
- c3p0 (0.9.0.4)
- cglib (2.1.3)
- com.oreilly.servlet (1.0)
- Commons Attributes (2.1)
- Commons BeanUtils (1.6)
- Commons Codec (1.3)
- Commons Collections (3.1)
- Commons DBCP (1.2.1)
- Commons Digester (1.6)
- Commons Discovery (0.2)
- Commons Fileupload (1.0)
- Commons HttpClient (3.0)
- Commons Lang (2.1)
- Commons Logging (1.0.4)
- Commons Pool (1.2)
- Commons Validator (1.1.4)
- dom4j (1.6)
- EasyMock (1.1)
- Ehcache (1.1)
- Enterprise Java Beans (2.0)
- Free Marker (2.3.4)
- Hessian (3.0.1)
- Hibernate (2.1.7)
- Hibernate (3.0.5)
- HSQLDB (1.8.0)
- iBATIS (2.1.7)
- iText (1.3)
- J2EE Connector Arch (1.0)
- Jakarta JSTL (1.0.3)
- Jamon (1.0)
- Jasper Reports (1.0.3)
- Java Servlet API (2.4)
- JavaBeans (JAF) (1.0.1)
- JavaMail (1.3)
- JavaServer Faces (1.1)
- JAX-RPC (1.1)
- Jaxen (1.1-beta4)
- JDBC (2_0)
- JDO (2.0)
- JMX (1.0)
- JOTM (2.0.9)
- JTA (1.0.1B)
- JUnit (3.8.1)
- jxl (2.6)
- Log4j (1.2.13)
- ORO (2.0.8)
- POI (2.5.1)
- Quartz (1.5.2)
- Rowset (1.0.1)
- Struts (1.2.8)
- Tag Libs (1.0.6)
- TOPLink (1.0)
- Velocity (1.4)
- Velocity Tools (1.1)
- XDoclet (1.1)

... that turn into 90.



But I didn't change the code ...

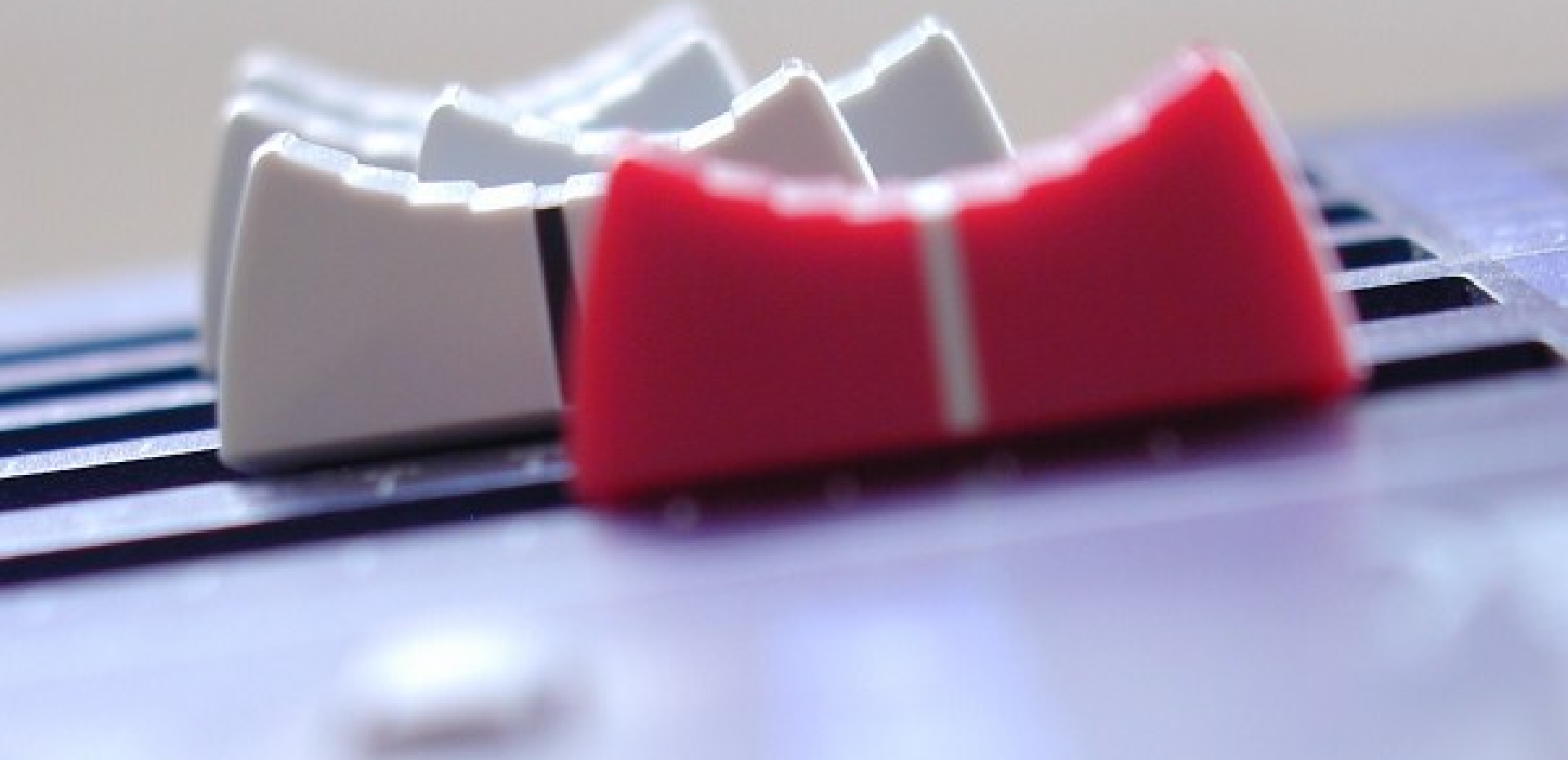
But I don't distribute software....



Photo by Mrs. Magic

What Can You Do?

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... to manage risk.**



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Indemnification



Photo by Kevin Steele

Certification



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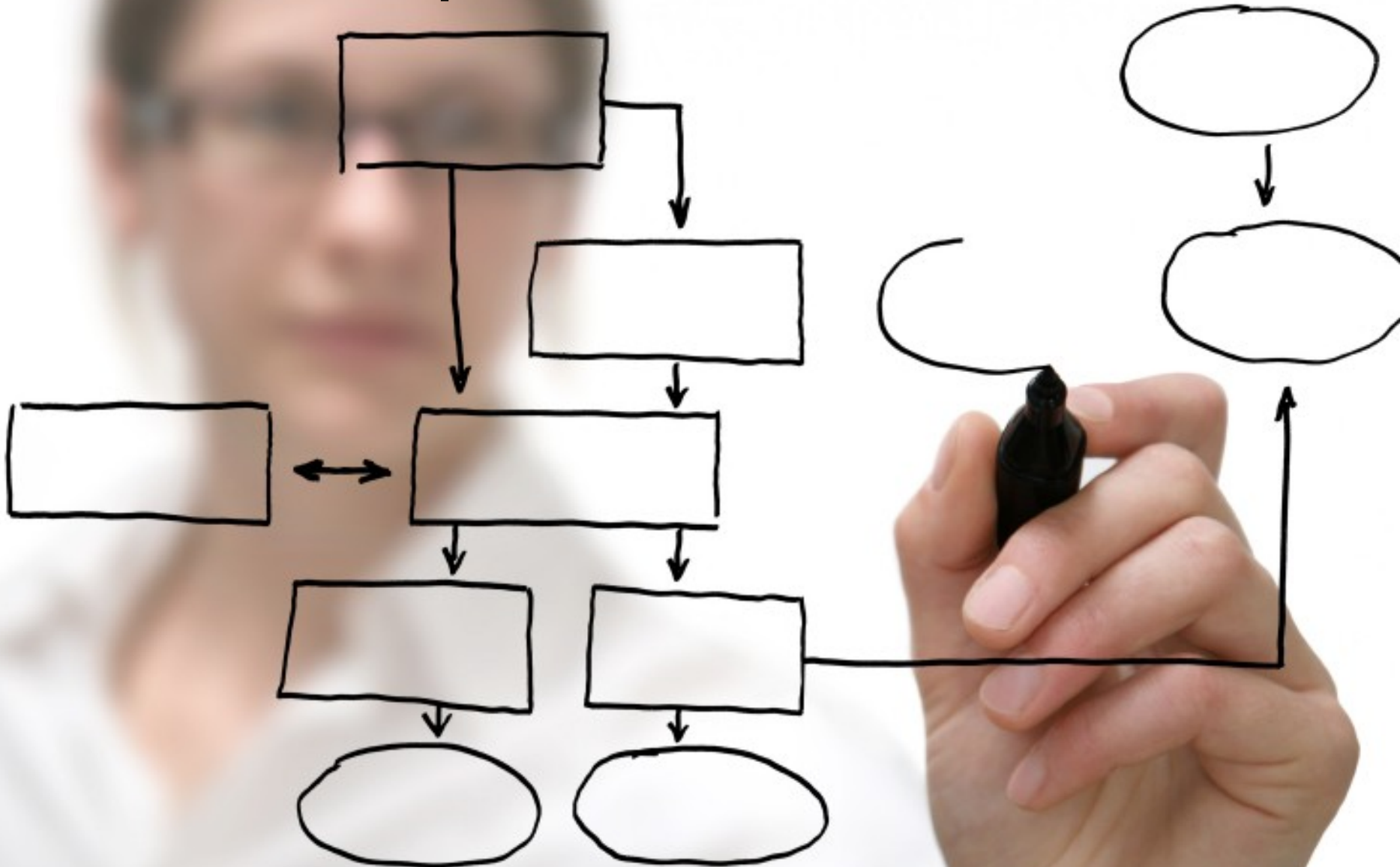
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- c) If the modified program normally reads commands interactively when run, you must cause it, when started running for such

Governance



Compliance Process

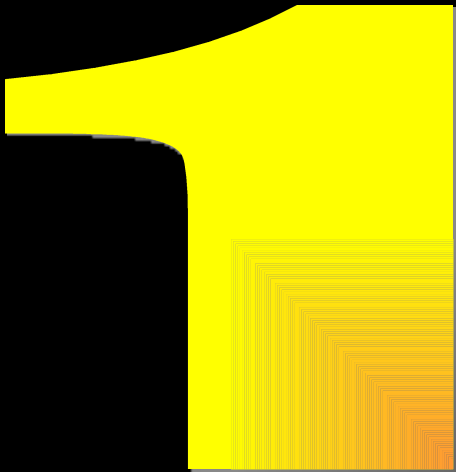




Just doing the
right thing might help

5

- ▣ Inventory
- ▣ Policy
- ▣ Process
- ▣ License compliance
- ▣ Track and audit



Inventory

Who, what, where, how, why



Grandfather folks in



Tools



2

Open Source Policy



Strategy

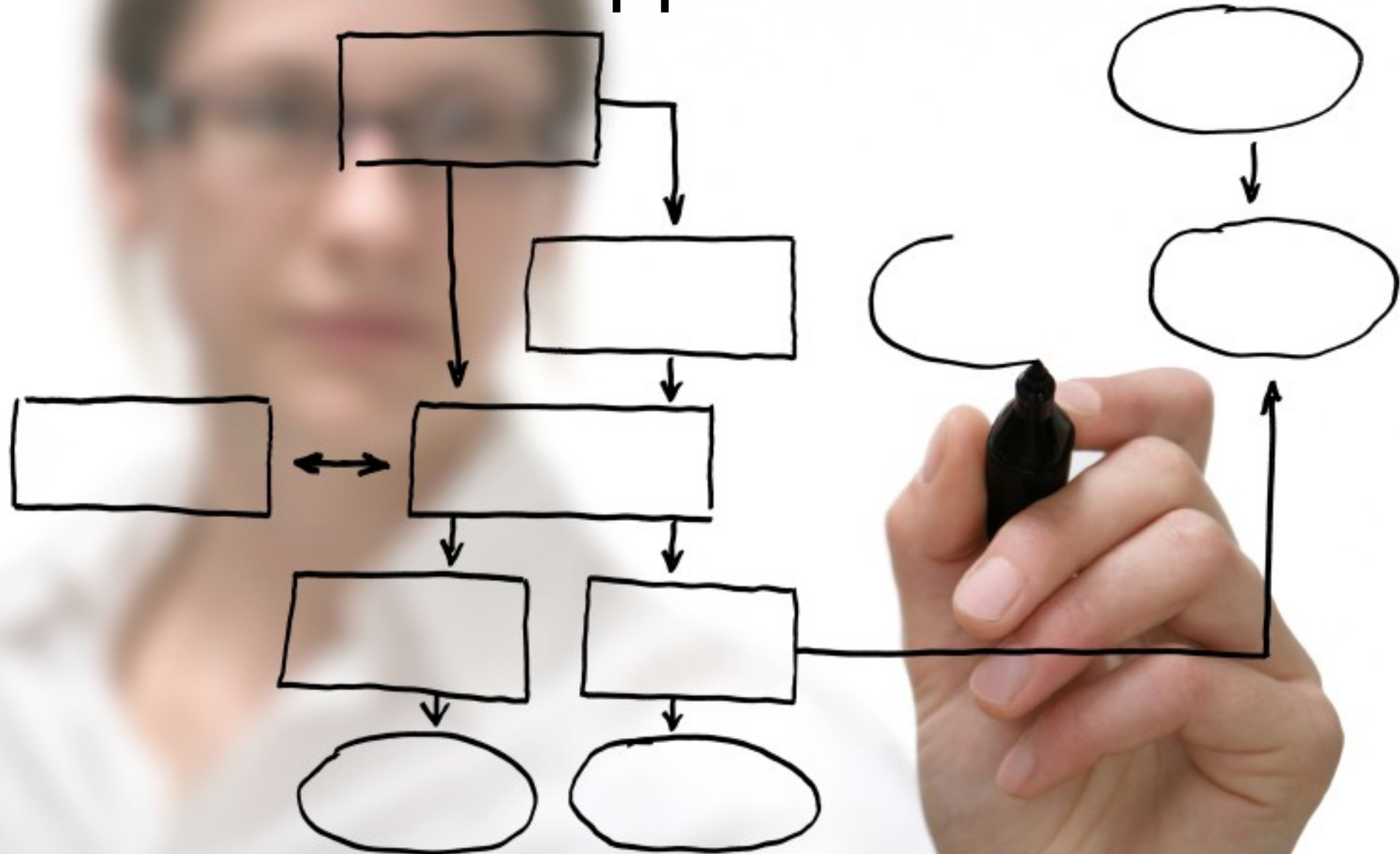
Just do it!



3

**Approval
Process**

Create an Approval Process



Open Source has skipped procurement



Photo by sahadava

4

**License
compliance**

Types of Open Source Licenses

Liberal

No Strings

- MIT/X
- W3C

Strings Attached

- Original BSD
- Apache Software License
- Eclipse Public License

Copyleft

“Traditional” Open Source

- GNU GPL
- GNU LGPL

Additional Clauses

- GNU GPL v3
- Common Public License
- Mozilla Public License
- SISSL
- IBM Public License

5

Track and audit


Repeat



Photo by marcomagrini

5

- ▣ Inventory
- ▣ Policy
- ▣ Process
- ▣ License compliance
- ▣ Track and audit



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