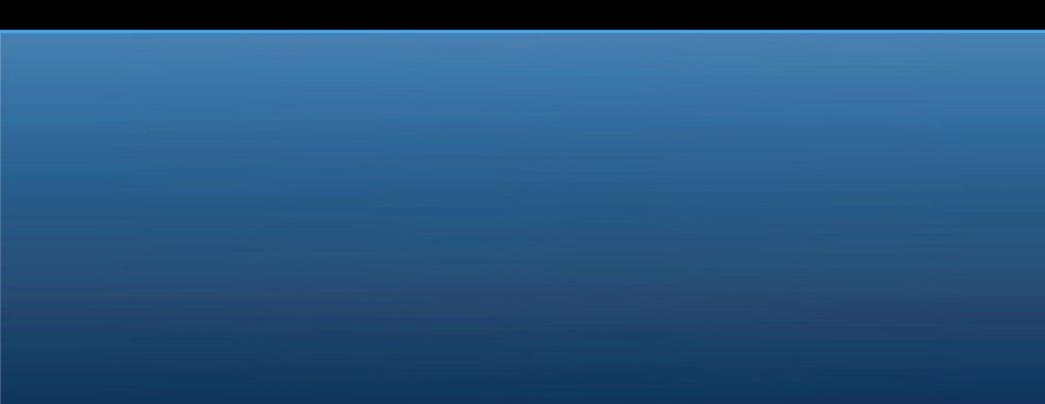# A look at GPL Compliance

How and why you should submit your patches back to Samba.

Simo Sorce

GPL Compliance Officer
Samba Team

Respecting the GPL

What is the GPL

The GPL is a free software license
    Free as in freedom not as in free beer (although beer here
    is so good I wouldn't mind some free beer :-)

The 4 freedoms the GPL is written to protect:

    0. The freedom to run the program, for any purpose.

    1. The freedom to study the code and adapt it to your needs.

    2. The freedom to redistribute verbatim copies.

    3. The freedom to modify the program and redistribute it.

Respecting the GPL

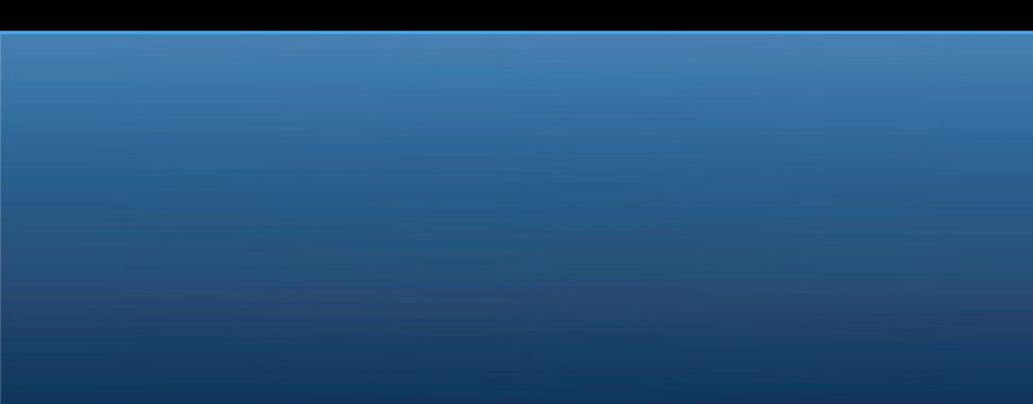Defining the boundaries of what the letter and intent of the GPL require

The GPL is a complex and innovative legal document

It is a copyright license
It deals with copying and redistribution
but not use

But it is also a kind of social contract
Legally, you can avoid moral obligations
Actually we care aboyut legality as well as good citizenship
But being a good citizen is easy

A level plain field
Competition in the open, no dirty tricks

Linking with Samba

Linking with Samba

Linking & Derivative Works
   Derivative Works is a complex definition that can be legally
   difficult to define
   As a rule of thumb we consider static or dynamic linking to
   be a strong indication we have a Derivative Work.

Standard Interfaces
   In Samba there are some interfaces we consider standard.
   Using standard interfaces does not usually make your work
   a Derivative Work.
   Interface Definition Files

Compliance
   Redistributing Samba according to the GPL (and the LGPL).

Contributes to Samba

Contributes to Samba

When is good to submit upstream?
    When your code is generic and non platform specific*
    When dependencies are reasonable

How to send patches
    The best way is to send patches to our development
    mailing list: <samba-technical@samba.org>
    We prefer if patches are against the development branch
    or the latest stable branch

The Samba Copyright Policy - Who can contribute?
    NDAs, and other binding legal obligations
    Why individual but not company copyright

The day they stole Samba

The Day they stole Samba

Non-compliance consequences

    Samba team attitude towards license violations
        We are happy to help people get into compliance
        We are not after money
        We are not after your code
        But we make no exceptions
        You have to release or stop distributing

    Termination clause of the GPL
        If you are in violation your rights to distribute are automatically terminated.
        You need an explicit permit from the Team to resume distribution.

SFLC and Samba

SFLC and Samba

Legal Status
    Through the SFLC now we are recognized as a legal entity

Legal Defense
    The SFLC provides us necessary legal services
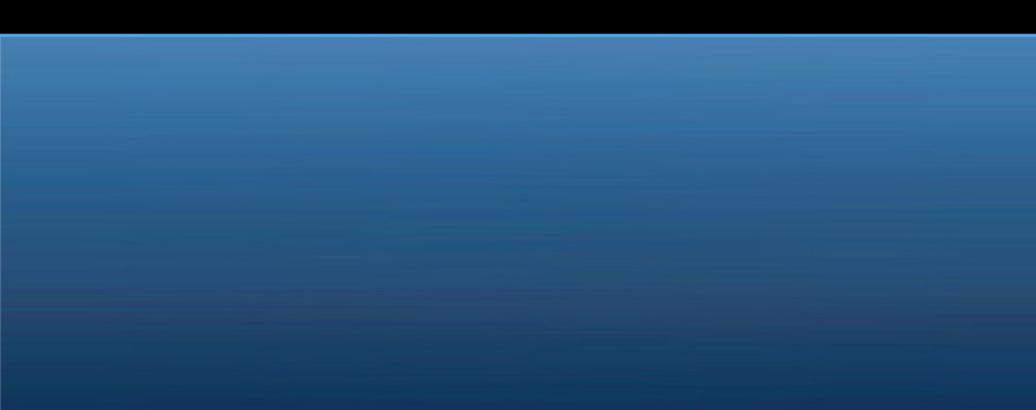
Donating
    We have the non-profit status in the US, so donations there
    can be deducted from taxes

Copyright transfer
    We are not required to transfer copyrights to the SFLC
    But we may decide to accept code donations where the
    Copyright is assigned to the SFLC

Samba and the GPLv3

Samba and the GPLv3

GPLv2 vs GPLv3

    Is the GPLv3 "good" ?
        Explicit patent provisions
        Revised terminology for non-US legal frameworks
        Avoiding GPLv2 loopholes
        Keeping the community unite, standing all together

    Are the GPLv2 and GPLv3 compatible?
        Yes, GPLv2 can be "upgraded" to GPLv3
        No, GPLv2 "only" is not compatible with GPLv3

    We haven't formally decided to switch to GPLv3
    but we are strongly oriented to do so

Thank you!

Thank YOU for attending this talk.
We appreciate your interest in sharing your time with us on this topic.

A big thank you to SerNet and SambaXP Sponsors and my employer(s) for the opportunity they give us all years to meet and make us be a community.

Contacts

Simo Sorce
Samba Team <idra@samba.org>
RedHat <ssorce@redhat.com >

I am not a lawyer and my opinions do not necessarily reflect the opinions of organizations I am connected with or the company I work for.