# Enforcing the GNU GPL
# Copyright helps Copyleft

by

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# Introduction

## Who is speaking to you?

○an independent Free Software developer
○who earns his living off Free Software since 1997
○who is one of the authors of the linux kernel firewall system called netfilter/iptables

## Why is he speaking to you?

○because he became aware of copyright (copyleft?) infringement and took legal action within German jurisdiction

# The GNU General Public License

## What is the GNU General Public License?

○ A software license issued by the Free Software Foundation, originally meant for their Free Software in the GNU project.

○ The commonly used Version is the GPLv2 from 1991

○ Can be considered as the first 'copyleft' licenses, before the idea of 'free software' spread to 'free content' and other areas.

○ Traditional software licenses are designed to restrict the rights of the user

▷ no copying
▷ no modificatio
▷ no reverse engineering

○ The GPL instead tries to grant fundamental freedoms

▷ freedom to run the program
▷ freedom to study the program and adapt it (requires source code)
▷ freedom to redistribute
▷ freedom to improve and publish improvements

# The GNU General Public License

## But, the GPL does not only grant rights!

○ In order to preserve the fundametal freedom, any distribution of a program has to

▷ mention that the work is licensed under the GPL
▷ include the GPL license text
▷ either include the source code, or provide a written offer how to receive a copy of the source code

○ Also, any derived work that is being distributed has to

▷ make available the source code of the derived work

Unfortunately, the wide misconception about copyright, free software, public
domain (even the RedHat CEO!) leads to people unknowignly, or even wilfully
only benefit from the freedom but not fulfill the obligations stated above.

# Enforcing the GNU GPL

## Enforcing the GPL

○ GPL violations are nothing new, as GPL licensed software is nothing new.

○ However, the recent Linux boom

○ The FSF enforces GPL violations of code on which they hold the copyright

▷ silently, without public notice
▷ in lengthy negotiations

○ During 2003 the "Linksys" case drew a lot of attention

▷ Linksys was selling 802.11 WLAN Acces Ponts / Routers
▷ Lots of GPL licensed software embedded in the device (included Linux, uClibc, busybox, iptables, ...)
▷ FSF led alliance took the 'qiet' approach and it took about four months until the full source code was released

○ Some developers didn't agree with this approach

▷ not enough publicity
▷ violators don't loose anything by first not complying and wait for the FSF
▷ four months delay is too much for low product lifecycles in WLAN world

○ So the netfilter/iptables project started to do their own enforcement in more cases coming up

# Enforcing the GNU GPL

## Enforcing the GPL

○ chronological order

▷ reverse engineering of firmware images
▷ sending the infringing organization a warning notice
▷ wait for them to sign a statement to cease and desist
▷ applying for a preliminary injunction if they don't (max 4 weeks after reverse engineering)

○ Success so far

▷ amicable agreement with Asus, Belkin, Allnet, Fujitsu-Siemens, Securepoint, U.S.Robotics
▷ some of which made significant donations to charitable organizations of the free software community
▷ preliminary injunction against Sitecom
▷ negotiating in more cases
▷ public awareness

# Enforcing the GNU GPL

## Enforcing the GPL

- remains an important issue for Free Software
- will start to happen within the court
- has to be made public in order to raise awareness

Problems
- only the copyright holder (in most cases the author) can do it
- users discovering GPL'd software need to communicate those issues to all copyright holders

☐ The http://www.gpl-violations.org/ project was started

- as a platform wher users can report alleged violations
- to verify those violations and inform all copyright holders
- to inform the public about ongoing enforcement efforts

# Thanks

☐ Thanks to
- Alan Cox, Alexey Kuznetsov, David Miller, Andi Kleen
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- Astaro AG
  ▹ for sponsoring parts of my netfilter work
- Free Software Foundation
  ▹ for the GNU Project
  ▹ for the GNU General Public License

☐ The slides of this presentation are available at http://www.gnumonks.org/

☐ The netfilter homepage http://www.netfilter.org/

☐ The http://www.gpl-violations.org/ project