

Re: Answer of Request to AdaCore on licensing Status of GtkAda 2.4.0

Source: <http://coding.derkeiler.com/Archive/Ada/comp.lang.ada/2006-08/msg00284.html>

- *From:* "Ludovic Brenta" <ludovic@xxxxxxxxxxxxxxxxxxxxxx>
 - *Date:* 25 Jul 2006 09:37:02 -0700
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Björn Persson a écrit :

The answers I have managed to get from Adacore are quite different from what Ludovic and Markus have reported. These answers are far from crystal clear, but the best way I can interpret them is as follows:

After reading the rest of your post, it appears to me that the replies you got were very close to the ones I got; only your interpretation differs slightly. I agree that the answers we both got left a lot unanswered.

- There is **not** a policy that license statements in files headers and readme files shouldn't be believed.

My interpretation is: there is no policy at all; they have OTOH confirmed very explicitly to me that any files downloaded from the CVS repository is under pure GPL, even though (as I pointed out) most files contain the linking exception.

Robert Dewar reiterated his statement in an email to me, but also said he is not allowed to give legal advice, so I conclude that whatever he said had no legal force either. Catch-22 :)

- Their licensing policy hasn't changed in any significant way. (Yeah right!)

It will be difficult for them to convince us of that. I think they have always **intended** the libre site and the CVS server for free software developers **only**, but they have never actively prevented non-free developers from using their software either, and the letter of the source files even explicitly allowed such usage. That letter, possibly, was at odds with AdaCore's spirit.

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- They think all the license statements in the packages accurately reflect the license you get.

Neither reply you posted from Cyrille Comar supports that point of view; he never mentioned the license statements in the packages, in fact. He only referred to the "landing page" on the libre site. Furthermore, he alluded to the lack of "suitability" of packages downloaded from libre for non-libre development, but did not say whether such development was *allowed* or *forbidden*. It is not clear to me whether that "suitability" is technical (i.e. not supported) or legal (i.e. not allowed). A clarification will be most welcome, if they post one on their web site.

- When you download the libraries bundled with Gnat GPL, you get a pure GPL for the whole bundle.

Yes, that much has always been clear; these source files do not contain the exception language anymore.

- As for what license you get when you download a library separately: No comment.

Indeed, and this is where the trouble begins. I specifically asked that question to them and they said it is GPL, even if you download from their CVS servers and even if the files contain the linking and generic instantiation exception text. I did point out to them that the contradiction was a big source of confusion.

When there are contradicting claims, I'll go for the one that is closest to the source. That means I'll stick to the license that is stated in each piece of code, as downloaded directly from Libre (for packages whose copyright belongs to Adacore). It's not that I think Ludovic or Markus is lying, but anything posted here by a third party is technically a rumor (including this post).

So it seems that for most of the libraries I get a pure GPL if I download a tarball, but GMGPL if I download it from CVS. As there are contradictions in some tarballs it may be safest to go for CVS; the license statements seem to be more consistent there.

After what Hyman Rosen said, it would seem that this stance would probably stand trial in a court, but it contradicts the statements I received from AdaCore. But IANAL, as usual :/

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I have already voiced my position as a Debian developer: I will retain the GMGPL for existing libraries (those in Sarge) but will switch to the pure GPL for newer versions (those in Etch), in order to comply with AdaCore's stated (in email) license. Furthermore, I am removing the linking and generic instantiation exception text from the source files in Debian, in order to reduce the potential for confusion; and I also explain the license change in the copyright file: see the copyright files in asis [1] and libxmlada2 [2] for the first examples.

[1] <http://packages.qa.debian.org/a/asis.html>

[2] <http://packages.qa.debian.org/libx/libxmlada2.html>

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