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**by Rob Kolstad**

# motd

## Stirring the Pot

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I try hard to share positive messages. People accuse me of being "unrealistic" or even call me "Pollyanna" for my occasional assertion that "each day is better in each and every way." I guess I'm temporarily abandoning that for this column. I fear I will stir the pot a bit.

The world has so many targets to shoot at. Let's start with the proliferation of licenses for "open source" and other sorts of software.

The GPL would have people who benefit from software return back to the development community any and all modifications they make. Doesn't that sound nice? Freedom to use software, financially free updates from those who repair it, what could be better?

You probably know that I was president of BSDI (a company marketing a Berkeley-style OS). BSDI's software division has been acquired by Wind River Systems. I haven't participated in BSDI strategy meetings since my departure a couple years ago, so I think I'm free to speculate as to what's going on.

Why didn't Wind River choose Linux for their UNIX story? Zero dollar licensing is complemented by plenty of support from the development community. What possible objection could Wind River have?

I imagine they objected to the rather stringent licensing terms of the GPL. I believe that they, as a company approaching half a billion dollars per year of revenue, felt that they should gain some return on the R&D investment that they would be putting into their operating system in order to turn it into a commercially viable, documented, tested – maybe even certified – product that has not only pre-sales support and actual marketing and sales behind it but also a post-sales support staff that is dedicated to helping customers get their commercial applications running. I have to believe that Wind River felt that giving their R&D – their intellectual property – out to the world for free (of course, they get others' fixes and enhancements back, too) just wasn't a winning financial proposition.

I sympathize with this position. I tried to run a small company selling BSD-style software and support. It's an extremely challenging game! Well, at least for me it was.

So, I believe the GPL supporters need to believe that they're only going to see GPLed software in systems that have specialized hardware that is difficult to reproduce or have some other very high barrier to entry. Commercial (i.e., for-profit) companies have a hard time defending the public divulsion of their intellectual property (IP). Without IP, they face uphill battles every time funding is required. It's hard to run a company without funding; I'm an expert on that.

A Slashdot article mentions that a court test of the GPL is soon to come. It seems someone has taken some GPLed software from the net and built a product – but they refuse to part with the enhancements. That's dirty pool: the license is clear about the required tradeoffs. If they used GPLed code, they need to abide by the licensing terms! I hope the courts find that such clearly stated yet implicit contracts are valid. I don't want to live in the world where other, more complex requirements might be put on this sort of software development and distribution.

So what do we have? We have a huge set of publicly available software. We have more than a dozen different licenses, each with its own little flavor of freedom or other buzzwords. It's a fascinating world we live in, and the fascination only increases as people study and debate the merits of each one.