

Subject: AccountManagerPlugin needs a license

From: Steffen Hoffmann <hoff.st@web.de>

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To: Noah Kantrowitz <noah@coderanger.net>, Matthew Good <trac@matt-good.net>, Michael Renzmann <mrenzmann@otaku42.de>, John Hampton <pacopablo@pacopablo.com>

CC: Ryan J Ollos <ryano@physiosonics.com>

Dear Noah, Matthew, Michael and John,

I know, that this might be strange news to you. So let me explain it in a minute.

When getting around to upload current stable version acct_mgr-0.3.2 to PyPi [1] there was no mentioning of THE-BEERWARE-LICENSE [2] in the choice of available license. So I had to dig deeper and suddenly found out about a failed appeal to get this license reviewed by OSI before even attempting approval as a free license [3].

The bottom line of that discussion was (citation from [4]):

On Jan 11, 08 03:15:56 -0800, Rick Moen wrote:

[necessity of a warranty disclaimer]

This is not obvious at all to me. What is it needed for? Who needs it?

Mr. Kamp is willing to run the risk of being sued for warranty obligations over a work that he passes out in public for no charge, and over whose uses he has no control whatsoever? Bold man.

I believe this is simply a flaw in the beer-ware license. Or maybe local law in Denmark protects phk sufficiently?

Omission of a warranty disclaimer may endanger the author. Such dangers could be a valid justification for disapproval. Unfortunately this is out of scope of the The Open Source Definition. If there were something like (please rephrase) ...

11. License must be re-usable by other parties without imposing unreasonable limitations or risks.

... a missing disclaimer could be considered an unreasonable risk.

or, as hinted by OSI elsewhere [5], THE-BEERWARE-LICENSE is considered one of some "(Too-)Simple licenses".

So is it a license at all in a legal sense? And do I put contributors at risk by going on with current licensing status? I'm not a lawyer, so take my conclusions for what they are: worries of a maintainer seeking the best way to proceed with the software he's responsible for.

THE-BEERWARE-LICENSE doesn't help with appropriate attribution of contributions other than that of the original author. This early feeling of mine is confirmed by other harsh critics as well [6]. Furthermore from discussion between experts - mention above - I take, that it is not even a real license and has only partial coverage,

limited to the original author, if it works at all in a legal sense.

For resolving this seemingly insane situation I propose to add a real license. That'll be

3-clause BSD (like Trac),

if at least all former committers agree. These are

- * coderanger
- * mgood - original author
- * otaku42
- * pacopablo

and therefore I've addressed all of you directly in this message.

Alternatively, if this agreement can't be established, I'll resort to accompany the THE-BEERWARE-LICENSE with CC0 [7] that seems to be closes match to the current effective status, with the added bonus of a real 'no warranties' disclaimer.

I'm looking forward to getting your response. Thank you in advance for your time put into taking care for this request of mine.

Sincerely,

Steffen Hoffmann
(current AcctMgr maintainer)

- [1] <http://pypi.python.org/pypi/TracAccountManager/0.3.2>
- [2] <http://www.tldrlegal.com/license/beerware-license>
- [3] <http://crynwr.com/cgi-bin/ezmlm-cgi?17:mss:32:chphgjcnoibafhhebkjc>
- [4] <http://crynwr.com/cgi-bin/ezmlm-cgi?17:mss:36:chphgjcnoibafhhebkjc>
- [5] <http://opensource.org/node/239>
- [6] <http://romanrm.ru/en/beerware>
- [7] <http://creativecommons.org/publicdomain/zero/1.0/>