

Open Software & Free Software Licensing

Week 10

Homework Assignment #9

- Read and summarize one of the three articles below. Create three “meaningful” questions about your article and answer three questions. Prepare to debate on the article.
 - <http://www.csun.edu/~twang/595OSE/HomeworkAssignments/HW9-1.pdf> (if your last name starts between “a” and “j”)
 - <http://www.csun.edu/~twang/595OSE/HomeworkAssignments/HW9-2.pdf> (if your last name starts between “k” and “z”)
 - Due date: Nov. 3rd

Team Homework Assignment #7

- Survey and summarize on open source software (OSS) development process. Read at least three related articles or papers, and explain the differences between traditional software process and OSS development process. Create three “meaningful” questions and answer these questions. Prepare to debate on these articles.
- A related sample article is available at <http://www.csun.edu/~twang/595OSE/LectureSlides/StageModelofEvolutionofOpenSourceSoftware.pdf>
- Due date
 - The beginning of the Nov. 10th lecture

Team Homework Assignment #8

- Survey and summarize on software process using open source software. Read at least three related articles or papers and explain the differences between traditional software process and software process using open source software. Create three “meaningful” questions and answer these questions. Prepare to debate on these articles.
- A related sample article is available at [http://www.csun.edu/~twang/595OSE/LectureSlides/An Open Source-Based Approach to Software Development Infrastructures.pdf](http://www.csun.edu/~twang/595OSE/LectureSlides/An%20Open%20Source-Based%20Approach%20to%20Software%20Development%20Infrastructures.pdf)
- Due date
 - The beginning of the Nov. 17th lecture

Team Homework Assignments

- #1: SRS
 - Sept. 29th
- #2 : SDD
 - Oct. 27th
- #3: Use case diagram & implementation plan
 - Oct. 20th
- #4: the snapshot(s) of the user interface
 - Oct. 27th
- #5: Inspect other team's SRS document and fill out the review form
 - Oct. 13th
- #6: Inspect other team's documents and fill out the review form
 - Oct. 27th
- #7: Summarize the three articles/papers on open source software development process
 - Nov. 10th
- #8: Summarize the three articles/papers on software development process using open source software
 - Nov. 17th

State whether each of the following is true or false. If false, explain why

- A drawing of a dog made on a café napkin is copyrighted simultaneously with its creation and is the sole property of its creator.
- This drawing cannot be copied, displayed, or otherwise commercially exploited by any person other than the creator for the life of the copyright.
- In the United States, the period protected by copyright is the life of the creator plus 20 years.

State whether each of the following is true or false. If false, explain why

- In the case of works made “for hire” or by creators who are not identified, 95 years from the date of publication or 120 years from the date of creation, whichever is longer.
- Copyright law does not protect any particular idea. Rather, copyright protects only the expression of that idea.
- The creator of the dog drawing has a right to the commercial exploitation of only that particular expression of “dog.”

State whether each of the following is true or false. If false, explain why

- A dramatic monologue read on a street corner is protected by copyright.
- If a reading of that monologue is recorded, whether on audio or videotape or paper, it is subjected to copyright protection.
- The limitation of expressions excludes protection from copyright of creations that are not expressed in a tangible, reproducible medium.

State whether each of the following is true or false. If false, explain why

- A copyright needs to be registered to be legally effective.
- A copyright comes into force when the protected work is created.
- While registration of the work with the United States Copyright Office has some effect on the rights of the copyright holder, it is not required.

State whether each of the following is true or false. If false, explain why

- Works published previous to March 1, 1989 need to bear explicit notice of copyright protection.
- In the United States, all of the rights belonging to the creator of a work become theirs at the time of the completion of that work in a fixed medium.
- No registration is required, nor does any signed writing need to be executed in order to preserve those rights.

State whether each of the following is true or false. If false, explain why

- Creators rarely take advantage of these rights by themselves, however. The production and distribution of works on a large scale has historically been capital-intensive, so creators of works have generally rely on others to produce the physical copies of their works and distribute them.
- Software publishing generally does not involve payment of royalties to individuals. Because commercial software is made, as a general matter, by large teams of people and requires the substantial expenditure of capital, the resulting work is “work for hire.” The copyright of works belongs to the employer, which, in the case of software, is usually also the publisher and the distributor of the software itself.

Fill in the blanks in each of the following statements

- The relationship between the creator of a work and its publisher is often an uneasy one. The dynamic tends to strongly favor the publisher over the creator of a work, except in the exceptional case of creators who have both _____ and, perhaps more importantly, _____ without restriction.
- The most typical trade made between creators and publisher is the _____ of the work in exchange for payments, known as _____.

State whether each of the following is true or false. If false, explain why

- Patents are more easy to obtain and retain a patent in the first place.
- Like copyright protection, obtaining a patent comes into force when the work is created.
- Obtaining patents is far more time-consuming and expensive. An application must be submitted to the patent office of each country where patent protection is sought, describing with specificity the invention being claimed.

State whether each of the following is true or false. If false, explain why

- If the patent application passes tests of novelty and unobviousness – and other legal tests relating to patentability – a patent will be issued. Even then, a patent certificate from the government provides only a presumption of validity, a presumption that can be challenged in court.
- Just as with copyright notices, there are advantages to marking products with patent notices identifying specific patents. Even the phrase “Patent Pending” can be useful to alert others that patent protection is being sought.

State whether each of the following is true or false. If false, explain why

- Patent notices are a mandatory prerequisite to patent enforcement
- Using patent notices may allow a patent owner to obtain damages for infringement starting prior to the date of filing of an infringement lawsuit.

State whether each of the following is true or false. If false, explain why

- The basic principles of open source licensing: open source licenses must prohibit commercial exploitation of the licensed work, must make available the work's source code, and must permit the creation of derivative works from the work itself

Fill in the blanks in each of the following statements

- A _____ is a word, phrase, symbol, or design, or a combination of words, phrases, symbols, or designs that identify and distinguished the source of the goods of one person or company from theses of others.

State whether each of the following is true or false. If false, explain why

- Trademarks are a form of intellectual property. Trademarks are owned, and they can be licensed.
- Consider, for example, the brand name Linux, a registered trademark owned by Linus Torvalds for:

Computer operating system software to facilitate computer use and operations (U.S. Trademark # 1916230)

State whether each of the following is true or false. If false, explain why

- As a matter of trademark law, a trademark would be lost if it were licensed under typical open source license terms.
- A trademark owner must maintain control over the quality of the goods bearing his or her trademark when the trademark is licensed to others
- Because of that incompatibility between trademark law and open source principles, no open source license includes a trademark license.

State whether each of the following is true or false. If false, explain why

- The MIT (or X), BSD, and Apache Licenses are class open source licensing software licenses and are used in many open source projects.
- The X Window System became the standard GUI platform for the Unix workstation market, displacing Sun's proprietary NeWS windowing system.
- The original BSD and X Window System developers even build their own companies based on the open source software that they had originally written. Bill Joy was one of the founders of Sun Microsystems; Eric Allman was able to found Sendmail, In.

State whether each of the following is true or false. If false, explain why

- Both Berkeley Unix and the X Window System were research projects; the goal of their creators was to explore technology, to provide a proof-of-concept implementation, and then to permit others to build on that work. Commercial applications readily followed successful implementations of research ideas
- BSD Unix became the basis for commercial versions of Unix ranging from Sun's Solaris to Apple's Mac OS X.
- The TCP/IP software stack that was part of the Berkeley networking release became the basis for almost all commercial TCP/IP stacks, including Microsoft's

Lab Activities

- Work on team homework assignments
- Submit a weekly project progress report, addressing