

# How Licences Learn

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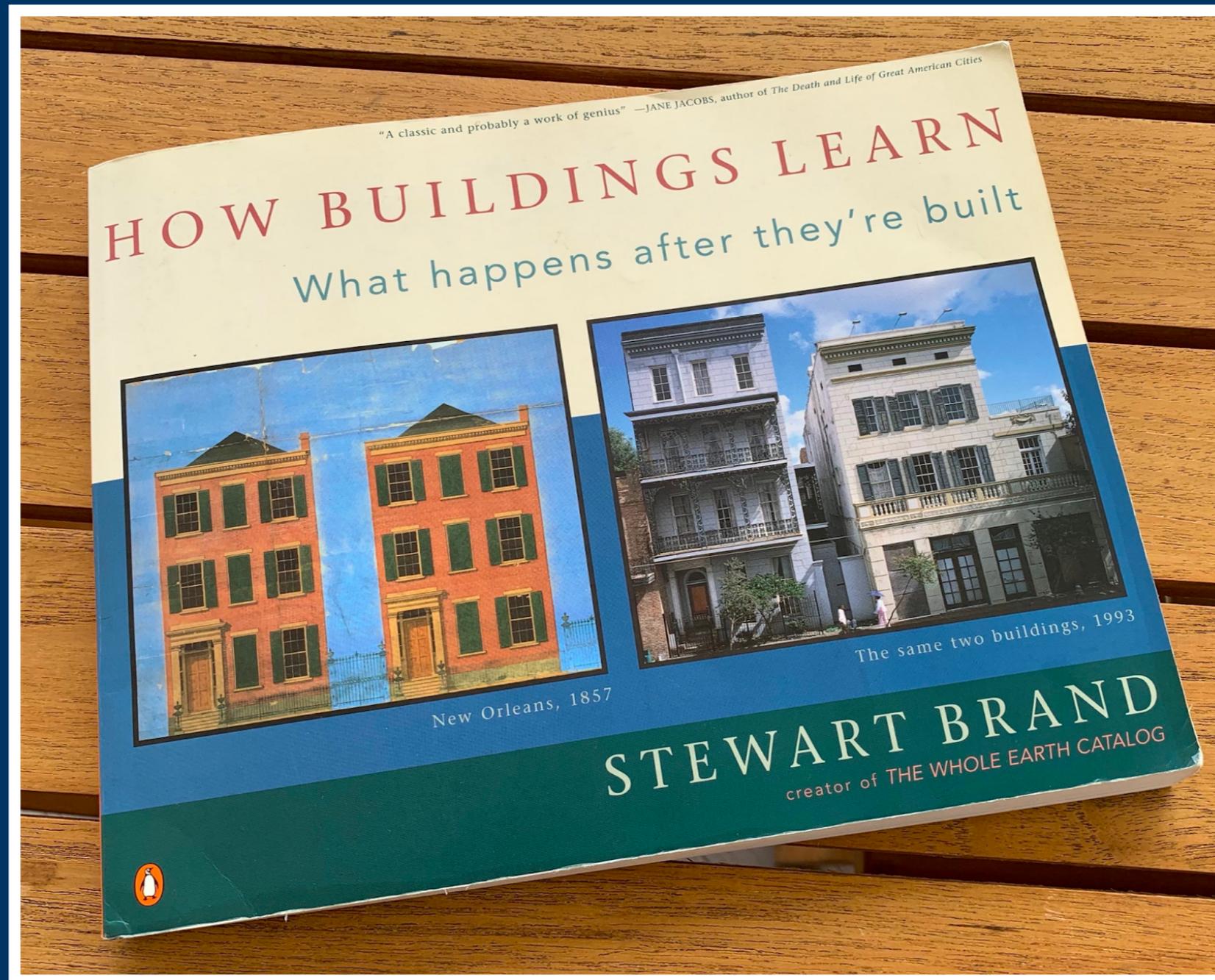
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Inspiration

# Stewart Brand, *How Buildings Learn: What Happens After They Are Built*



Background

# Open Source Licensing

- Software licenses: GPL, MIT, Apache, etc.
- Hardware licenses: CC, TAPR, CERN

Modern open source ecosystem: technical (*code*), legal (*licensing*), and sociological (norms of *sharing*)

# Goals of Designing Communities

- Develop useful, robust, and reliable technologies
- Encourage collaboration and knowledge sharing
- Increase adoption and user engagement
- Provide support and maintenance
- (Motivate participants to join and contribute)

# How Commons Govern

- Recursive Publics
- Knowledge Commons
- Value Articulation

# Case Studies

# Case Studies

1. Drafting GPLv3



2. OpenOffice | LibreOffice Split



3. The Closing of MakerBot



4. Arduino Trademark Tussle



# Drafting GPLv3

- Copyleft software license
- Timeline:
  - 1991: GPLv2
  - 2006: FSF-led “GPLv3 Revision Campaign”
- Issues:
  - Software patents
  - DRM

# The Closing of Makerbot

- Accessible and modifiable 3D printers
- Replicator designs released under CC license
- Replicator 2 release under proprietary license
- Community failure point

# Learning Lessons

# High-Road vs. Low-Road

- High-road: *Organized stewardship*, central maintenance, long-term sustainability
  - Cathedrals, college libraries, etc.
- Low-road: *Community-driven approach*, decentralized innovation, responsive to immediate needs
  - Garage workshops, retail storefronts, etc.
- Both are widely used in open-source development

# The High Road and the Low Road in License Design

- FSF stewardship over GPL revision is high-road
  - Extensive community input
  - But also long-term vision
- MakerBot was a stewardship failure ...
  - ... leading to low-road decisions to jump ship

# Licensing as Infrastructure

- Communal Governance
- Recursive
- Intellectual Knowledge

Buildings exhibit recursion when they adapt and evolve over time.

Technical infrastructure exhibits recursion as communities explore new uses and functionalities.

The *license* is itself a thing that is **designed**.

# Takeaways

- Licenses enact shared objectives, values and goals
- Open licenses are infrastructures that build communities as they are built by communities
- Licenses demonstrate a process of governance and dialogue - on the high-road and on the low-road

# Discussion