

# – Porphyre 2002 –

## Bibliographie

# Logiciel Libre - Open Source

Version 1.0

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## 1. Introduction

La finalité du système informatique Porphyre est d'offrir à la communauté scientifique (en particulier dans le domaine de l'archéologie) un système de recherche d'informations permettant d'assister le lecteur de publications savantes en le soulageant des aspects répétitifs de son activité et en le laissant se concentrer sur les aspects créatifs, intuitifs et à haut niveau d'abstraction.

Voilà quatre ans que le projet de recherche PORPHYRE se précise et évolue. L'ouverture des codes sources des versions successives du projet PORPHYRE à la communauté permet favoriser l'évolution du projet en lui-même, et de contribuer au "patrimoine génétique du logiciel".

### 1.1. Objet du document

Le but de ce document est de réaliser une étude présentant les différentes modalités qui définissent l'Open Source et le Logiciel Libre en vue d'une adoption d'une licence pour le projet PORPHYRE.

### 1.2. Terminologie

Open Source : **certification** faisant référence à la liberté pour les utilisateurs d'exécuter, de copier, de distribuer, d'étudier, de modifier et d'améliorer le logiciel. (voir le site officiel [www.opensource.org](http://www.opensource.org))

Logiciel Libre : **ensemble de licences** faisant référence à la liberté pour les utilisateurs d'exécuter, de copier, de distribuer, d'étudier, de modifier et d'améliorer le logiciel. (voir le site officiel [www.gnu.org](http://www.gnu.org))

Copyright : (en français : droit d'auteur) est une définition légale protégeant les droits d'auteurs de produits informatique.

Copyleft : (en français : sous gauche d'auteur) n'est pas une définition légale mais seulement un jeu de mot s'opposant à Copyright, elle s'applique dans le monde du Logiciel Libre pour protéger les auteurs de produits informatiques. Le copyleft indique que toute personne qui les redistribue, avec ou sans modifications, doit aussi transmettre la liberté de les copier et de les modifier. Le copyleft garantit cette liberté pour tous les utilisateurs.

## 2. Open Source

Le but de la définition de l'Open Source est de protéger le processus de l'Open Source ; de s'assurer que le logiciel libre pourra être examiné par des pairs indépendants et suivre une évolution faite d'améliorations et de sélections continues, pour faire avancer les idées en matière de recherche (ici, pour le projet Porphyre).

Pour que ce processus d'évolution fonctionne, il faut que nous contrions les motivations à court terme que certains pourraient avoir de cesser de contribuer au "patrimoine génétique du logiciel". Cela signifie que les conditions de la licence doivent empêcher quiconque de "fermer" le logiciel, en faisant un logiciel propriétaire, et de n'autoriser que fort peu de gens à l'examiner ou à le modifier.

### 2.1. La définition de l'Open Source

Version 1.9 rédigée par Bruce Perens (source : [www.opensource.org](http://www.opensource.org) , mai 2002)

Copyright © 2002 by the Open Source Initiative

L'Open Source ("logiciel libre" en français) ne signifie pas simplement le libre accès au code source. Les modalités de distribution des logiciels libres doivent répondre aux critères suivants :

#### 2.1.1. Redistribution libre et gratuite

La licence ne doit pas restreindre la vente ou la distribution du logiciel libre intégré dans un autre logiciel contenant des programmes de différentes origines. La licence ne doit pas exiger de compensation d'aucune sorte en échange de cette intégration.

#### 2.1.2. Code source

Le programme doit inclure le code source, et doit autoriser la distribution du code source comme de l'exécutable compilé. Quand une forme quelconque du produit est distribuée sans le code source, il doit être clairement indiqué par quel moyen il est possible d'obtenir le code source, pour une somme qui ne doit pas excéder un coût raisonnable de reproduction, ou en le chargeant gratuitement via Internet. Le code source doit être la forme privilégiée par laquelle un programmeur modifie le programme. Un code source délibérément confus est interdit. Les formes intermédiaires de code source, telles que celles résultant d'un pré-processeur ou d'un traducteur, sont interdites.

#### 2.1.3. Travaux dérivés

La licence doit autoriser les modifications et les travaux dérivés, et doit permettre leur distribution dans les mêmes termes que la licence du logiciel d'origine.

#### **2.1.4. Intégrité du code source de l'auteur**

La licence peut restreindre la distribution du code source modifié seulement si elle autorise la distribution de patches avec le code source, dans le but de modifier le programme à la compilation. La licence doit explicitement permettre la distribution de logiciels obtenus à partir du code source modifié. La licence peut exiger que les travaux dérivés portent un nom ou un numéro de version différent du logiciel d'origine.

#### **2.1.5. Absence de discrimination envers des personnes ou des groupes**

La licence ne doit pas être discriminative à l'encontre de personnes ou de groupes de personnes.

#### **2.1.6. Absence de discrimination envers des domaines d'activité**

La licence ne doit pas restreindre ni interdire l'usage du logiciel à un quelconque domaine d'activité. Par exemple, il ne peut interdire l'usage du logiciel dans le cadre d'une activité professionnelle, ou en exclure l'usage pour la recherche génétique.

#### **2.1.7. Distribution de licence**

Les droits attachés au programme doivent s'appliquer à tous ceux à qui il est distribué sans qu'il leur soit besoin de se conformer à des termes de licence complémentaires.

#### **2.1.8. La licence ne doit pas être spécifique à un produit**

Les droits attachés au programme ne doivent pas dépendre du fait que le programme fait partie d'un logiciel en particulier. Si le programme est séparé du logiciel dans lequel il est intégré, et utilisé ou distribué selon les termes de la licence, toutes les parties à qui le programme est redistribué doivent avoir les mêmes droits que ceux accordés avec le logiciel dans lequel il est intégré à l'origine.

#### **2.1.9. La licence ne doit pas imposer de restrictions sur d'autres logiciels**

La licence ne doit pas imposer de restrictions sur d'autres logiciels distribués avec le programme sous licence. Par exemple, la licence ne doit pas exiger que les autres programmes distribués sur le même support physique soient aussi des logiciels libres.

### **2.2. Justifications de la définition de l'Open Source**

La définition de l'Open Source n'est pas, et ne sera jamais, un hameçon pour pêcheur de droits d'utilisation de la licence. Tout un chacun est libre, et le demeurera, d'utiliser cette marque de certification s'il en remplit les conditions.

### **2.2.1. Redistribution libre et gratuite**

En contraignant la licence à imposer la libre redistribution, on enlève la tentation d'abandonner de nombreux gains à long terme pour gagner rapidement de l'argent sur les ventes. Sans cette contrainte, les participants au mouvement subiraient de nombreuses pressions pour l'abandonner.

### **2.2.2. Code source**

On impose l'accès à un code source non délibérément rendu déroutant car on ne peut pas faire évoluer un programme sans avoir accès à son code source. Puisque notre but est de faciliter l'évolution des programmes, on impose que ces modifications soient facilitées.

### **2.2.3. Travaux dérivés**

La seule possibilité de lire le code source ne suffit pas pour permettre un test et une rapide évolution. Pour autoriser cette dernière, il faut donner l'autorisation d'expérimenter des modifications et de les distribuer.

### **2.2.4. Intégrité du code source de l'auteur**

C'est une bonne chose que d'encourager de nombreuses améliorations, mais les utilisateurs ont le droit de savoir qui est à l'origine du logiciel qu'ils utilisent. Les auteurs et ceux qui font évoluer un logiciel ont aussi le droit, réciproque, de savoir ce qu'on leur demande de faire évoluer, et de protéger leur réputation.

C'est pourquoi une licence Open Source doit garantir que le code source soit facilement accessible (bien écrit et commenté), mais peut demander qu'il soit distribué sous la forme de code source original, accompagné des modifications à lui apporter. De cette manière, on peut mettre à disposition des modifications « non-officielles », non-fusionnées au code source de base.

### **2.2.5. Absence de discrimination envers des personnes ou des groupes**

Pour tirer le meilleur profit du processus, il faut autoriser, à égalité, la plus grande diversité de personnes et de groupes à contribuer aux logiciels Open Source. C'est pourquoi il est interdit à toute licence Open Source d'exclure qui que ce soit.

### **2.2.6. Absence de discrimination envers des domaines d'activité**

Le but premier de cette clause est d'interdire les pièges de licences qui empêchent d'exploiter commercialement des logiciels Open Source.

### **2.2.7. Distribution de licence**

Le but de cette clause est d'interdire la fermeture du logiciel par des moyens indirects tels que l'imposition d'un accord de non divulgation.

### **2.2.8. La licence ne doit pas être spécifique à un produit**

Cette clause permet d'éviter un autre piège classique des licences.

### **2.2.9. La licence ne doit pas imposer de restrictions sur d'autres logiciels**

Celui qui souhaite utiliser ou redistribuer des logiciels Open Source doit avoir le droit d'appliquer à ses propres logiciels les conditions de son choix.

## **2.3. Certification "Open Source"**

Voici les copies (cf. annexe 3 et liens hyper-texte) des licences approuvées par Open Source Initiative (OSI). Si on distribue son logiciel conformément à une de ces licences, on peut se permettre de dire que son logiciel est un "Logiciel Certifié Open Source".

Les quatre premiers de la liste sont les plus classiques et donnent une licence le plus généralement employé pour les logiciels open source. Beaucoup d'autres licences ont été soumises pour l'examen et l'approbation par OSI, mais elles sont beaucoup plus spécifiques.

- [The GNU General Public License \(GPL\)](#)
- [The GNU Library or "Lesser" Public License \(LGPL\)](#)
- [The BSD license](#)
- [The MIT license](#)
- [The Mozilla Public License v. 1.0 \(MPL\)](#)
- [The MITRE Collaborative Virtual Workspace License \(CVW License\)](#)
- [The Ricoh Source Code Public License](#)
- [The zlib/libpng license](#)
- [The Apache Software License](#)
- [The Vovida Software License v. 1.0](#)
- [The Mozilla Public License 1.1 \(MPL 1.1\)](#)
- [The Jabber Open Source License](#)
- [The Sleepycat License](#)
- [The Nethack General Public License](#)
- [The Common Public License](#)

- [The University of Illinois/NCSA Open Source License](#)

## 2.4. Démarche d'obtention d'une certification Open Source

L' "Open Source Definition" explique clairement les qualités essentielles d'un logiciel Open Source. Puisque la communauté a besoin d'une voie fiable pour savoir si une partie de logiciel est vraiment "Open Source" ou non, "Open Source Initiative" (OSI) a enregistré une marque de certification : "OSI Certified". Si on voit cette marque sur une partie de logiciel, le logiciel est vraiment distribué conformément à une licence qui se conforme à l'Open Source Definition, ou alors le distributeur emploie improprement la marque de certification et enfreint ainsi la loi.

La marque "OSI Certified" s'applique au logiciel, pas aux licences. OSI fournit une liste des licences source ouvertes qui se conforment à l'Open Source Definition, qui ont été examinées par le public et qui ont été approuvées par OSI. Si nous voulons une licence n'appartenant pas à cette liste, il faut entrer en contact avec "license-approval@opensource.org", qui commence le processus décrit ci-dessous.

Si nous voulons employer la marque "Certifié OSI" sur notre logiciel, nous pouvons le faire en distribuant le logiciel avec une licence approuvée appartenant à la liste et en marquant le logiciel convenablement, comme décrit ci-dessous.

(les 8 points suivants proviennent de [www.open-source.org](http://www.open-source.org) , puis traduit en français)

- 1- Mettez la licence sur une page Web en forme de HTML. Nous le convertirons dans le même style que les licences approuvées existantes. Vous pouvez nous aider en la publiant dans ce style vous-même, [...]. Le texte d'ASCII est préférable [...].
- 2- Dites-nous qu'elle licence existante "OSI-approved" est la plus semblable à votre licence. Expliquez-nous pourquoi cette licence ne suffira pas pour vos besoins. Si votre licence proposée est tirée d'une licence que nous avons déjà approuvée, décrivez exactement ce que vous avez changé. Ce document ne fait pas partie de la licence; il doit seulement aider le conseil à comprendre et passer en revue votre licence.
- 3- Expliquez comment le logiciel distribué conformément à votre licence peut être employé dans la conjonction avec le logiciel distribué conformément à d'autres licences source ouvertes. Quelles licences pensez-vous auront la priorité pour des travaux dérivés et/ou combinés ? Y a-t-il une licence de logiciel qui est entièrement incompatible avec votre licence proposée ?
- 4- Envoyez votre licence proposée par Email à "license-approval@opensource.org". Indiquez dans l'Email si vous voulez poster la licence au forum de discussion des licences avec votre identification ou anonymement. (Nous désirons considérer des licences que l'auteur ne veut pas poster du tout, mais puisque l'examen de communauté est une partie importante du processus d'approbation, nous devons circuler de telles licences confidentiellement aux critiques individuels : à cause de

cela, les licences non postées au forum de discussion des licences peuvent prendre plus longtemps pour être approuvées et vont probablement exiger plus d'interaction entre nous et vous.) Vous êtes invités à suivre la discussion des licences en souscrivant à "license-discuss-subscribe@opensource.org".

- 5- Si nous constatons que la licence ne se conforme pas à l'Open Source Définition, nous travaillerons avec vous pour résoudre les problèmes.
- 6- En même temps, nous contrôlerons le forum de discussion et travaillerons avec vous pour résoudre n'importe quels problèmes découverts dans les commentaires du public dans le forum.
- 7- Comme faisant partie de ce processus, nous pouvons aussi rechercher à l'extérieur du conseil légal des renseignements sur les publications de licence.
- 8- Une fois que nous sommes assurés que la licence est bien conforme à l'Open Source Définition et [...] qu'il n'y a plus aucune question restante que nous jugeons significative, nous vous notifierons que la licence a été approuvée, copiez la sur votre site Web et nous l'ajouterons à la liste des licences répondant à l'Open Source Définition.

Vous pouvez utiliser la marque "Certifié OSI" sur n'importe quel logiciel qui est distribué conformément à une licence "OSI-approved". Pour identifier votre distribution de logiciel comme "Certifié OSI", vous devez attacher un des deux avis suivants inchangés au logiciel :

- ✓ **This software is OSI Certified Open Source Software. OSI Certified is a certification mark of the Open Source Initiative.**

[Ce logiciel est un logiciel Open Source Certifié OSI. "Certifié OSI" est une marque de certification de l'**Open Source Initiative**.]

- ✓ **OSI Certified Open Source Software**OSI.

[Logiciel Open Source Certifié OSI.]

## 3. Logiciel Libre

### 3.1. Définition logiciel libre

(source : [www.gnu.org](http://www.gnu.org) , mai 2002, copies partielles de la documentation)

*Copyright (C) 1999, 2000, 2001, 2002 Free Software Foundation, Inc., 59 Temple Place - Suite 330, Boston, MA 02111, USA*

*Verbatim copying and distribution of this entire article is permitted in any medium, provided this notice is preserved.*

Nous maintenons cette définition du logiciel libre pour décrire clairement les conditions à remplir pour qu'un logiciel soit considéré comme libre. L'expression « Logiciel libre » fait référence à la liberté et non pas au prix. Pour comprendre le concept, nous devons penser à la « liberté d'expression », pas à « l'entrée libre (gratuite) ».

L'expression « Logiciel libre » fait référence à la liberté pour les utilisateurs d'exécuter, de copier, de distribuer, d'étudier, de modifier et d'améliorer le logiciel. Plus précisément, elle fait référence à quatre types de liberté pour l'utilisateur du logiciel:

- ✓ La liberté d'exécuter le programme, pour tous les usages (liberté 0).
- ✓ La liberté d'étudier le fonctionnement du programme, et de le faire évoluer ou de l'adapter à vos besoins (liberté 1). Pour ceci, l'accès au code source est une condition requise.
- ✓ La liberté de redistribuer des copies, donc d'aider votre voisin (liberté 2).
- ✓ La liberté d'améliorer le programme et de publier vos améliorations, pour en faire profiter toute la communauté (liberté 3). Pour ceci, l'accès au code source est une nouvelle fois une condition requise.

Un programme est un logiciel libre si les utilisateurs ont toutes ces libertés. Ainsi, vous êtes libre de redistribuer des copies, avec ou sans modification, gratuitement ou non, à tout le monde, partout. Être libre de faire ceci signifie (entre autre) que vous n'avez pas à demander ou à payer pour en avoir la permission.

### 3.2. Justification de la définition du Logiciel Libre

#### 3.2.1. La liberté d'utilisation (liberté 0)

La liberté d'utiliser un programme est la liberté pour tout type de personne ou d'organisation de l'utiliser pour tout type de système informatique, pour tout type de tâche et sans être obligé de communiquer ultérieurement avec le développeur ou toute autre entité spécifique.

### **3.2.2. La modification (liberté 1)**

Nous devons aussi avoir la liberté de faire des modifications et de les utiliser à titre personnel dans notre travail ou nos loisirs, sans en mentionner l'existence. Par conséquent, l'accessibilité du code source est une condition requise pour un logiciel libre.

### **3.2.3. La redistribution, gratuite ou payante (liberté 2)**

La liberté de redistribuer des copies doit inclure les formes binaires ou exécutables du programme (tout comme le code source) à la fois pour les versions modifiées ou non modifiées du programme. Il y a une exception s'il n'y a pas moyen de produire une version binaire ou exécutable, mais le public doit avoir la liberté de distribuer de telles formes s'ils ont un moyen d'en produire.

Pour que ces libertés soient réelles, elles doivent être irrévocables tant que nous n'avons rien fait de mal ; si le développeur du logiciel a le droit de révoquer la licence sans que nous n'ayons fait quoi que ce soit pour le justifier, le logiciel n'est pas libre.

Cependant, certains types de règles sur la manière de distribuer le logiciel libre sont acceptables tant que ces règles ne rentrent pas en conflit avec les libertés fondamentales. Par exemple, le "copyleft" est une règle qui établit que lorsque nous redistribuons les programmes, nous ne pouvons ajouter de restrictions pour retirer les libertés fondamentales au public. Cette règle ne rentre pas en conflit avec les libertés fondamentales ; en fait, elle les protège.

Ainsi, nous pouvons avoir à payer pour obtenir une copie d'un logiciel du projet GNU ou nous pouvons l'obtenir gratuitement. Mais indifféremment de la manière dont nous nous le sommes procurés, nous avons toujours la liberté de copier et de modifier un logiciel et même d'en vendre des copies.

« Logiciel libre » ne signifie pas « non commercial ». Un logiciel libre doit être disponible pour un usage commercial. Le développement commercial de logiciel libre n'est plus l'exception ; de tels programmes sont des logiciels commerciaux libres.

### **3.2.4. Publication des modifications (liberté 3)**

Si nous publions nos modifications, nous ne sommes pas obligés de prévenir quelqu'un de particulier ou de le faire d'une manière particulière. Pour avoir la liberté d'effectuer des modifications et de publier des versions améliorées, nous devons avoir l'accès au code source du programme. Par conséquent, l'accessibilité du code source est une condition requise pour un logiciel libre.

Les règles sur la manière d'emballer une version modifiée sont acceptables si elles n'entravent pas notre liberté de la publier. Les règles disant « si vous publiez le programme par ce moyen, vous devez le faire par ce moyen aussi » sont acceptables aux mêmes conditions (notez que de telles règles doivent nous laisser le choix de publier ou non le programme).

### 3.3. Licences de Logiciels Libres

(voir aussi l'annexe 2 : Catégorie de Logiciels Libres)

#### 3.3.1. Licences compatibles GNU GPL

La licence GNU GPL est la plus couramment utilisée dans le monde du Logiciel Libre. De plus, c'est la licence qui permet la réutilisation et l'intégration du plus large panel d'autres licences de Logiciel Libre. Par exemple, la GNU GPL permet la réutilisation d'algorithmes provenant, entre autre, d'une licence GNU LGPL.

➤ **GNU GPL : General Public Licence**

Il s'agit d'une licence de logiciel libre et d'un "gauche d'auteur". C'est la licence la plus répandue et la plus utilisée dans le monde du Logiciel Libre.

➤ **GNU LGPL : Lesser General Public Licence**

Il s'agit d'une licence de logiciel libre, mais pas aussi sévère en tant que "gauche d'auteur", car elle permet l'intégration à des produits/modules non-libres.

➤ **La licence de Guile**

Elle se compose de la GNU GPL, augmentée d'une assertion spéciale donnant la permission d'inclure des logiciels non libres. Il en résulte un gauche d'auteur souple, compatible avec la GPL de GNU.

➤ **La licence de copyright ML standard du New Jersey**

Une licence simple et permissive de logiciel libre non gauche d'auteur.

➤ **X11**

Une licence simple et permissive de logiciel libre non gauche d'auteur.

➤ **BSD modifiée**

C'est une licence de logiciel libre simple et permissive, non gauche d'auteur.

En gros, elle se conforme aux quatre points, mais contrairement à la GPL, on peut prendre un programme sous licence BSD, le modifier, et le vendre sans en redistribuer les sources. Elle offre donc moins de garanties.

➤ **Le domaine public**

Etre dans le domaine public, ce n'est pas une licence. Au contraire, cela signifie que le contenu en question est dépourvu de licence, qu'aucune licence n'est exigée. Cependant, dans la pratique, si une oeuvre est dans le domaine public, c'est à peu près comme si elle était munie d'une licence de logiciel libre entièrement permissive, non-gauche d'auteur : donc compatible avec la GNU GPL.

#### 3.3.2. Licences non-compatibles GNU GPL

➤ **BSD d'origine**

C'est une licence simple et permissive de logiciel libre, mais ce n'est pas une licence d'auteur et elle comporte un grave défaut : la "clause publicitaire BSD".

### 3.4. Licences de Documentations Libres

Il est également important de mettre la documentation, créée et associée à un projet sous une licence de Logiciel Libre, sous une licence de Documentation Libre pour les mêmes raisons que le logiciel en lui-même. Par contre, pour des raisons stratégiques et/ou commerciales cela peut devenir un inconvénient. Il faut donc définir au préalable la stratégie à long terme qui sera adoptée.

#### ➤ GNU FDL : Free Documentation Licence

Cette licence a été conçue pour les documents sous licence d'auteur.

#### ➤ Licence de Documentation de FreeBSD

Cette licence est une licence de documentation libre permissive non licence d'auteur, compatible avec la FDL de GNU.

### 3.5. démarche pour mettre en place une licence libre

Si nous développons un nouveau programme et désirons en faire bénéficier tout un chacun, la meilleure méthode est d'en faire un Logiciel Libre que tout le monde pourra redistribuer et modifier selon les termes de la licence choisie au départ.

Pour cela, la méthode est similaire à celle décrite pour l'Open Source.

Il suffit d'insérer dans les programmes (il est préférable de le faire au début de chaque fichier source) :

- une ligne pour indiquer le nom du programme et le projet dans lequel il s'inscrit, et le texte suivant : "*Copyright (C) 19xx ((nom de l'auteur))*"
- il faut aussi indiquer où se trouvent les termes complets de la licence (chemin d'accès et nom du fichier)
- il faut ajouter également notre adresse électronique, et au moins notre adresse postale.

Le texte suivant sera également à introduire (suivant la licence choisie, en anglais, cf. textes des licences annexe 3) :

-- exemple de la GNU GPL --

*Ce programme est libre, vous pouvez le redistribuer et/ou le modifier selon les termes de la Licence Publique Générale GNU publiée par la Free Software Foundation (version 2 ou bien toute autre version ultérieure choisie par vous).*

*Ce programme est distribué car potentiellement utile, mais SANS AUCUNE GARANTIE, ni explicite ni implicite, y compris les garanties de commercialisation ou d'adaptation dans un but spécifique. Reportez-vous à la Licence Publique Générale GNU pour plus de détails.*

*Vous devez avoir reçu une copie de la Licence Publique Générale GNU en même temps que ce programme ; si ce n'est pas le cas, écrivez à la Free Software Foundation, Inc., 59 Temple Place, Suite 330, Boston, MA 02111-1307, États-Unis.*

Par ailleurs, des possibilités de non-revendications de droits sur des parties de programmes peuvent être rajoutées aussi. Par exemple :

*...((employeur, école, auteur...)) déclare par la présente ne pas revendiquer de droits sur le programme « ((nom du programme)) » réalisé ((par, pour)) ...((nom de l'auteur, école, employeur, ...)). ((signature du responsable)), ...((date)), ...((nom et qualité du responsable)).*

## 4. Synthèse Logiciel Libre / Open Source

(voir aussi annexe 2 : les catégories de logiciels libres)

Comme on dit, la différence entre la communauté Open source et la communauté du logiciel libre est *idéologique*. Le logiciel libre est libre par conviction, et l'Open Source l'est par intérêt pratique. Même si les objectifs de ces deux communautés vont exactement dans le même sens et exposent les mêmes problématiques, il n'en reste pas moins, pour quelqu'un s'impliquant dans une communauté, qu'elles sont différentes.

Le logiciel libre est défini par 4 points principaux :

- ✓ libre d'utilisation par tous
- ✓ librement re-distribuable
- ✓ librement modifiable
- ✓ les versions modifiées sont librement re-distribuables.

L'Open Source Définition (OSD-compatible) rédigée par Bruce Perens développe ces 4 points en précisant un peu plus les objectifs du "Libre" pour l'Open Source.

Le principe de mettre une licence Logiciel Libre qui soit approuvée par l'Open Source Initiative (OSI) sur un projet, permettrait ensuite de pouvoir déposer la marque "OSI Certified Open Source Software" en supplément sans contraintes supplémentaires.

Par contre, il existe un autre critère qui différencie le monde du Logiciel Libre du monde de l'Open Source. La licence GNU, par exemple, et qui est l'une des plus importantes du monde du Logiciel Libre par rapport à l'Open Source, impose que quant des modifications sont apportées à un logiciel sous une Licence Libre sous gauche d'auteur, ce que l'on ajoute soit conforme aux 4 points. En bref, la licence Logiciel Libre sous gauche d'auteur suit le logiciel, ses versions modifiées et ses travaux dérivés futurs (cf. § 3.2.3) ; contrairement à l'Open Source qui n'impose pas de restriction de licences sur les travaux dérivés (cf. § 2.1.9).

Par exemple, un logiciel avec une licence BSD peut prétendre à la certification "Open Source Initiative Certified", mais les travaux dérivés ne doivent pas obligatoirement conserver la licence BSD ou encore la certification Open Source. Il faut alors être vigilant aux dangers qu'apportent les nuances des textes officiels des licences et certifications.

En général, le plus simple est de prendre la GPL pour le corps du projet Porphyre, et/ou éventuellement la LGPL pour les bibliothèques Porphyre, si l'on veut imposer que notre programme reste libre ( par exemple, si l'on n'a pas envie qu'un concurrent nous subtilise notre code, le re-utilise et ne libère pas ses extensions). Par contre, il serait bien également de déposer la documentation de recherche concernant Porphyre et sa documentation technique sous une licence de documentation libre pour contrer les mêmes problèmes que le projet en lui-même. La norme GNU FDL est tout à fait adaptée à cela.

## 5. Conclusion

Les objectifs principaux qui motive l'adoption d'une licence de Logiciel Libre ou d'une certification Open Source sont régis par les points suivants :

- ✓ Le code comme les modules de Porphyre doivent rester accessibles à tout le monde
- ✓ Personne ne doit pouvoir l'utiliser pour en faire un logiciel propriétaire
- ✓ Il va falloir développer une communauté de développeurs autour de Porphyre (à travers le monde...)

Ces objectifs sont remplis par les licences "classiques" de GNU comme la GNU GPL et la GNU LGPL. Il me semble donc pas nécessaire de développer une nouvelle licence, ce qui serait long et fastidieux. D'autre part, ces licences de logiciels libres GNU GPL et LGPL peuvent déjà prétendre à la certification "Open Source Initiative Certified".

Mais attention ! Une simple certification "Open Source Initiative Certified" ne suffirait pas à protéger les sources du projet contre d'éventuels entrepreneurs ayant un but commercial.

Par ailleurs, il va maintenant falloir s'intéresser à la stratégie à adopter en vue des objectifs à long terme du projet Porphyre. Nous allons devoir choisir une licence, ou plusieurs pour ce projet, et cette licence sera ensuite définitive et irrévocable. Nous pouvons par exemple proposer le code de Porphyre avec la GNU GPL, les bibliothèques de Porphyre avec la GNU LGPL et la documentation du projet avec la GNU FDL. Mais cela reste à examiner et à décider.

# **ANNEXE 1**

## **Sources - Liens**

➤ **Bibliographie :**

<http://www.linux-france.org>  
<http://www.gnu.org>  
<http://www.idealx.org>  
<http://www.oreilly.fr>  
<http://osi.open5ource.net>  
<http://www.opensource.org>  
<http://www.april.org>

➤ **Sites fournisseurs de services "Open Source" :**

[www.freshmeat.net](http://www.freshmeat.net)  
[www.newsforge.net](http://www.newsforge.net)  
[www.sourceforge.net](http://www.sourceforge.net)

➤ **Informations intéressantes :**

disponible sur le site officiel de gnu.org :

- ✓ [liste de licences](#)
- ✓ [Les catégories de Logiciel Libre](#)
- ✓ [exemple de procédure pour la licence GNU GPL](#)
- ✓ [le "copyleft"](#)
- ✓ [Les licences commentées](#)

disponible sur le site opensource.org :

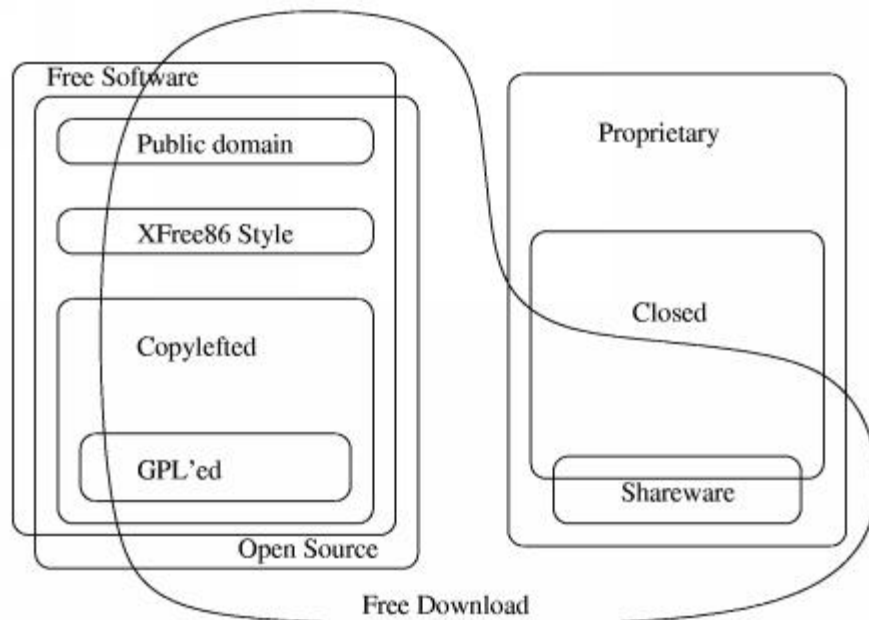
- ✓ [licences pouvant prétendre à l'open source](#)

## **ANNEXE 2**

### ***Catégories de logiciels libres***

(source : [www.gnu.org](http://www.gnu.org))

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Ce diagramme de Hung Chao-Kuei explique les différentes catégories de logiciels.

### ➤ **Logiciel Libre**

Un logiciel libre est un logiciel qui est fourni avec l'autorisation pour quiconque de l'utiliser, de le copier, et de le distribuer, soit sous une forme conforme à l'original, soit avec des modifications, ou encore gratuitement ou contre un certain montant. Ceci signifie en particulier que son code source doit être disponible.

Du moment qu'il est libre, tout programme peut, potentiellement, faire partie d'un système d'exploitation libre tel que GNU.

Il existe de nombreuses façons de rendre un logiciel libre ; beaucoup de détails peuvent être définis de différentes façons, tout en gardant au logiciel son caractère libre. Voici quelques-unes de ces variations...

Un logiciel est libre du point de vue de la liberté, et non du prix. Mais les sociétés éditrices de logiciels propriétaires utilisent parfois le terme « logiciel libre » pour parler de logiciels gratuits. Ce qui veut parfois dire que vous pouvez en obtenir une copie binaire gratuitement, ou qu'une copie de ce logiciel est comprise dans le prix d'achat de votre ordinateur. Ceci n'a rien à voir avec le terme de logiciel libre, tel que nous le définissons dans le projet GNU.

A cause de cette confusion potentielle, il serait souhaitable, chaque fois qu'une société informatique annonce que son produit est un logiciel libre, de vérifier les conditions de distribution, afin de s'assurer que les usagers disposent de toutes les libertés associées au logiciel libre. Parfois il s'agit, effectivement, d'un logiciel libre, parfois non.

L'anglais utilise le même mot « free » pour « libre » et « gratuit ». C'est pourquoi il y a souvent confusion sur la nature des termes "free software". Nous tenons à souligner qu'il ne s'agit pas du prix mais de la liberté d'utilisation.

### ➤ **Logiciel Open Source**

Le terme logiciel "Open Source" est utilisé par certaines personnes pour signifier plus ou moins la même chose que logiciel libre. Notamment, l'Open Source a la même couverture que le Logiciel Libre en tant que catégorie de logiciels (cf. diagramme de Hung Chao-Kuei).

### ➤ **Logiciel du domaine public**

Logiciel du domaine public veut dire logiciel non soumis aux droits d'auteurs. C'est un cas particulier de logiciel libre "non-copylefté", ce qui veut dire que certaines copies, ou certaines versions modifiées, peuvent ne pas être du tout libres.

Parfois, on utilise le terme "domaine public" d'une façon peu précise pour dire "libre" ou "disponible gratuitement". Toutefois, "domaine public" est un terme légal qui signifie précisément que le logiciel n'est pas soumis au copyright. Afin d'être plus précis, nous conseillons d'utiliser le terme "domaine public" dans ce cas uniquement, et d'utiliser d'autres termes dans les autres cas.

### ➤ **Logiciel copylefté (sous gauche d'auteur)**

Le logiciel sous copyleft est un logiciel libre, dont les conditions de distribution interdisent aux nouveaux distributeurs d'ajouter des restrictions supplémentaires lorsqu'ils redistribuent ou modifient le logiciel. Ceci veut dire que chaque copie du logiciel, même si elle a été modifiée, doit être un logiciel libre.

Dans GNU, presque tous les logiciels sont soumis au *copyleft*, car son but est de donner à *chaque* utilisateur les libertés garanties par le terme logiciel libre.

Le copyleft est un concept général; pour l'appliquer à un programme, vous avez besoin d'un ensemble de termes relatifs à sa distribution. Il y a de nombreuses façons d'écrire ces conditions de distribution.

### ➤ **Logiciel Libre non-copylefté**

Le logiciel libre non-copylefté est diffusé par son auteur avec la permission de le redistribuer et de le modifier, mais aussi d'y ajouter d'autres restrictions.

Si un programme est libre, mais non-copylefté, alors certaines copies ou versions modifiées peuvent ne plus être libres du tout. Une société informatique peut compiler ce programme, avec ou sans modifications, et distribuer le fichier exécutable sous forme de produit logiciel propriétaire.

### ➤ **Logiciel couvert par la GPL**

La GNU GPL (Licence Publique Générale GNU) est un ensemble spécifique de conditions de distribution pour "*copyleft*" un programme. Le projet GNU l'utilise comme conditions de distribution de la plupart des logiciels GNU.

Puisque le but du GNU est d'être libre, chacun de ses moindres composants doit être un logiciel libre. Tous ne doivent cependant pas être copyleftés; n'importe quel type de logiciel libre pourra y figurer légalement, s'il permet d'atteindre les objectifs techniques.

Un logiciel GNU est un logiciel diffusé sous les auspices du projet GNU. La plupart des logiciels GNU sont soumis à un copyleft, mais pas tous; cependant, tous les logiciels GNU doivent être des logiciels libres.

### ➤ **Logiciel semi-libre**

Le logiciel semi-libre est un logiciel qui n'est pas libre, mais qui s'accompagne de la permission pour les personnes physiques de l'utiliser, de le copier, de le distribuer, et de le modifier (y compris pour la distribution des versions modifiées) dans un but non lucratif.

Un logiciel semi-libre est toujours mieux qu'un logiciel propriétaire, mais cela pose toujours des problèmes, et nous ne pouvons l'utiliser dans un système d'exploitation libre.

Les restrictions du copyleft sont conçues pour protéger les libertés fondamentales pour tous les utilisateurs. Pour nous, la seule justification à la définition d'une restriction substantielle sur l'utilisation d'un programme est d'empêcher l'ajout d'autres restrictions par d'autres personnes. Les programmes semi-libres possèdent des restrictions supplémentaires, motivées par des buts purement égoïstes.

Il est impossible d'inclure du logiciel semi-libre dans un système d'exploitation libre. Ceci est dû au fait que les conditions de distribution du système d'exploitation dans son entier sont la somme des conditions de distribution de tous les programmes qui le composent. Y ajouter un seul logiciel semi-libre rendrait le système *tout entier* seulement semi-libre.

### ➤ **Logiciel propriétaire**

Le logiciel propriétaire est un logiciel qui n'est ni libre, ni semi-libre. Son utilisation, sa redistribution ou sa modification sont interdites, ou exigent une autorisation spécifique, ou sont tellement restreintes que vous ne pouvez en fait pas le faire librement.

### ➤ **Freeware**

Le terme "freeware" n'a pas de définition claire communément acceptée, mais elle est utilisée couramment pour des paquetages qui autorisent la redistribution mais pas la modification (et dont le code source n'est pas disponible). Ces paquetages ne sont *pas* des logiciels libres, donc n'utilisez pas, s'il vous plaît, "freeware" pour parler de logiciel libre.

➤ **Shareware (partagiciel)**

Le Shareware est un logiciel qui s'accompagne de la permission de redistribuer des copies, mais qui mentionne que toute personne qui continue à en utiliser une copie est *obligée* de payer des royalties.

Les sharewares ne sont pas des logiciels libres ou même semi-libres. Pour deux raisons :

Pour les sharewares, le code source n'est pratiquement jamais fourni; et donc nous ne pouvons pas du tout modifier le programme.

Avec le shareware, il ne nous est pas permis d'effectuer une copie et de l'installer sans nous acquitter du paiement d'un droit licence, même pour des individus impliqués dans des activités non lucratives.

➤ **Logiciel commercial**

Le logiciel commercial est un logiciel développé par une entreprise dont le but est de gagner de l'argent sur l'utilisation du logiciel. « Commercial » et « propriétaire » ne sont pas synonymes ! La plupart des logiciels commerciaux sont propriétaires, mais il y a des logiciels libres commerciaux, et il y a des logiciels non-commerciaux non-libres.

## **ANNEXE 3**

### ***Textes officiels des licences***

## ➤ The GNU General Public License (GPL) Version 2, June 1991

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b) Accompany it with a written offer, valid for at least three years, to give any third party, for a charge no more than your cost of physically performing source distribution, a complete machine-readable copy of the corresponding source code, to be distributed under the terms of Sections 1 and 2 above on a medium customarily used for software interchange; or,

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END OF TERMS AND CONDITIONS

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To do so, attach the following notices to the program. It is safest to attach them to the start of each source file to most effectively convey the exclusion of warranty; and each file should have at least the "copyright" line and a pointer to where the full notice is found.

one line to give the program's name and a brief idea of what it does.

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