

## Glossary of terms

<b>API</b>	Application Programming Interface: the specific part of software code enabling interoperability with other software solutions.	<b>Synonym:</b> Interface
<b>Commercial software</b>	Means that you have to pay for the software or for some related services. Most commercial software are proprietary, but open source software could be commercial too.	<b>Contrary:</b> Freeware
<b>Communication to the public</b>	European law concept, covered by copyright: performing the covered work publicly. In the EURL, it is considered as a mode of distribution and implies providing remote access to software functionalities or SaaS.	<b>Contrary:</b> Private or internal use
<b>Compatibility</b>	Licence compatibility occurs when the source codes distributed under two or more different licences may be merged together in order to create a larger distributable software.	<b>Contrary:</b> Incompatibility
<b>Contributor</b>	Person contributing (by corrections, improvements, extensions) to an existing source code or material distributed under an open licence.	
<b>Copyleft license</b>	Copyleft is a term coined in 1976 and reused in 1985 by Richard Stallman (GNU project) in the first copyleft licence, as a reversal application of existing copyright policies: the purpose is not to keep copyright exclusivity, but to share it with everyone. In published documents, the use of less political terms "reciprocal" or "share alike" is a frequent alternative.	<b>Synonyms:</b> Reciprocal licence, Share alike licence <b>Contrary:</b> Proprietary licence <b>See also:</b> "Strong Copyleft licence".

<p><b>Derivative software</b></p>	<p>One of the most complex software copyright notions. A derivative is not a simple copy, but a modification (correction, localisation, improvement, extension) of a specific software. Knowing if software B is a derivative of software A results from a case by case analysis.</p> <p>Copyright protects the written source code form, not the ideas or functionalities provided by the software. In addition (at least in EU law) APIs or parts of the written software code that are necessary for implementing interoperability between independent programs (i.e. for linking two solutions) can be reused/reproduced as an exception to copyright, meaning without making derivatives.</p>	<p><b>Contrary:</b> Combination, or integration of two or multiple independent software, done via interoperable linking (each part can be licensed under its original licensing terms).</p>
<p><b>Distribution</b></p>	<p>Software distribution is its provision to third parties. Some licences (the EUPL, the AGPL) consider that providing remote access is a distribution.</p>	<p><b>Contrary:</b> Private or internal use (i.e. for employees).</p>
<p><b>Executable code</b></p>	<p>Any software code which has generally been compiled and which is meant to be interpreted by a computer as a program.</p>	<p><b>Synonym:</b> Object code <b>Contrary:</b> Source code</p>
<p><b>Free software</b></p>	<p>In Free software, "Free" is a reference to the 4 freedoms provided to recipients (using, accessing, modifying, redistributing). "Free software" is a quasi-synonym of "Open Source" because the "Open Source Definition" refers to the same freedoms. Documents published by EU institutions use the term "Open source" and in some cases "Free/Open source".</p>	<p><b>Synonym:</b> Open source software <b>Contrary:</b> Proprietary software</p>
<p><b>Free software licence</b></p>	<p>Licence granting the main 4 free software freedoms (using, accessing, modifying, redistributing), and recognised as such by the Free Software Foundation (FSF).</p>	<p><b>Synonym:</b> Open source software licence <b>Contrary:</b> Proprietary software licence</p>

<b>Freeware</b>	Means that the software is distributed at no cost (like "Adobe Reader"). It does not mean that the software is free software/open source.	<b>Synonym:</b> Gratis software <b>Contrary:</b> Commercial software
<b>Inbound licence</b>	The licence covering software code that you want to reuse, merge or combine in your own program in order to redistribute the resulting work under an "outbound licence" (the same licence or another one).	<b>Contrary:</b> Outbound licence
<b>Incompatibility</b>	Licence incompatibility often results from merging software codes covered by two or more different reciprocal licences, making the resulting fusion reserved for internal use but impossible to redistribute to third parties (without receiving a specific permission from relevant authors in case it is possible), because of a licence conflict.	<b>Contrary:</b> Compatibility
<b>Interoperability</b>	Software interoperability is the "functional interconnection and interaction between two computer programs, defined as the ability to exchange information and mutually to use the information which has been exchanged."	<b>Legal source:</b> Directive 2009/24 (EUCPD) - recital 10 (reproduction of the definition provided in 1991 by Directive 91/250/EEC). <b>Synonym:</b> Linking
<b>JLA</b>	Joinup licensing Assistant - an open source solution or tool provided on the Joinup site and allowing users to select, compare and check compatibility between open licences.	
<b>Licence</b>	Specific contract between a licensor and the recipient of a copyrighted work, defining the conditions of using this work. This contract is generally accepted by the recipient via a simple click "I accept" under the licence conditions, or even by the fact of using the work according to the licence.	<b>Synonym:</b> "License" (US spelling)

<p><b>Licensor</b></p>	<p>The natural or legal person that distributes and/or communicates a copyrighted work (i.e. a software) under a licence.</p>	<p><b>Legal source:</b> EUPL article 1 <b>Contrary:</b> Recipient</p>
<p><b>Linking</b></p>	<p>Making two independent computer programs able to exchange information and mutually to use the information which has been exchanged, through a functional (static or dynamic) interconnection and interaction between the two computer programs.</p> <p>According to EU Law, linking by reproducing interfaces is permitted as an exception to copyright law.</p>	<p><b>Legal source:</b> Directive 2009/24 (EUCPD) - recital 15 (reproduction of the similar provision of Directive 91/250/EEC).</p>
<p><b>Open licence</b></p>	<p>General term covering all open data and open software licences (several hundred models exist).</p>	<p>Proprietary licence</p>
<p><b>Open source software licence</b></p>	<p>Licence that is compliant to the Open Source Definition (OSD) published by the OSI (Open source initiative), and that is officially "approved" or certified by OSI.</p>	<p><b>Synonyms:</b> Free software licence <b>Contrary:</b> proprietary software licence / EULA</p>
<p><b>Outbound licence</b></p>	<p>The licence covering software code that you want to distribute, after merging or combining various software components, written by you or received under one or more other "inbound licences".</p>	<p><b>Contrary:</b> Inbound licence</p>
<p><b>Permissive open source licence</b></p>	<p>Licence granting all open source software freedoms, while imposing no or few conditions for that (in general, the simple respect of copyright marks or "attribution").</p>	<p><b>Contrary:</b> Reciprocal (or Copyleft, or Share alike) open source licence</p>

<b>Proprietary licence</b>	Licence prohibiting or imposing conditions or limitations to the use, reuse, copy, inspection, modification or re-distribution of the covered software.	<b>Contrary:</b> Open Source licence, Free software licence
<b>Recipient</b>	User receiving from the licensor a program covered by an open licence, and making use of the granted rights.	<b>Synonym:</b> User
<b>Reciprocal open source licence</b>	A Licence imposing, in case of redistributing modified, improved or extended software, the sharing of the modified source code (with the original authors and all other users) under the same (or similar) licensing conditions.	<b>Synonym:</b> "Share alike", "Copyleft", "Reciprocity"
<b>SaaS</b>	"Software as a Service" or providing remote access (i.e. via Internet) to software functionalities. According to the EUPL, this is a mode of distribution.	<b>Synonym:</b> Remote access
<b>Source code</b>	The written form of software, that human could read, which - like other literary works - is protected by copyright.	<b>Contrary:</b> "Executable code" or "Object code": the machine-only executable program, resulting of the compilation of the source code
<b>Strong Copyleft licence</b>	<p>Licence stating that all derivatives inherit from the copyleft license. Applied to linking, strong copyleft has become to be a controversial theory, contrary to EU law.</p> <p>The EUPL can be considered as a strong copyleft licence, except regarding linking where the EUPL has no copyleft effect.</p>	

<p><b>Viral license</b></p>	<p>Pejorative name resulting from the theory that "strong copyleft" licenses are "viral", because linking other programs with their covered code extends the license conditions to all linked programs.</p> <p>This theory is classically promoted by "Free software" stakeholders but was never validated in courts and is contrary to EU law.</p>	<p><b>Synonym:</b> "Strong Copyleft license"</p> <p><b>Contrary:</b> "Weak copyleft licence", "Permissive licence"</p>
<p><b>Weak copyleft license</b></p>	<p>Refers to licenses where not all derivative works inherit the copyleft license, depending on how it was derived.</p> <p>In particular, it is used to cover software libraries: the library tools itself inherit copyleft conditions, but the new resulting software "produced by reusing the provided library components" does not inherit the copyleft licence.</p>	<p><b>Contrary:</b> "Strong copyleft licence"</p>
<p><b>Work</b></p>	<p>In the EUPL, "the Work" is the copyrighted material covered by the licence: Mainly software code, but also ancillary data: specifications, semantic assets, documentation or handbooks etc.</p> <p>The EUPL provide licensors a wide latitude in determining the scope of the license.</p>	