OPEN SOURCE BEYOND LICENSING: THE ROAD AHEAD

Vancouver, June 2024

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- 20 years ago, helped build out the Drupal community, "web2"

- Recently, IPFS ecosystem, "web3"

- With Fission, protocols over platforms: UCAN, WNFS, IPVM

WHAT WE'RE GOING TO COVER

- Open source is no longer a radical act.

  - From legal innovation to ways of working remotely and collaboratively, the past 20 years have integrated it as a common baseline.

  - Can we get maintainers paid, make open source a job, and work alongside new tools like AI?

- What new licenses, ways of working, and principles power the next 20 years?

WHAT DOES OPEN SOURCE MEAN?

- The problem with the term open source is that everyone means something different when they use it.

- Some people just mean licensing.

- Some people think of a particular community's set of practices.

- Others think that it means some kind of fuzzy democracy and mob rule.

DEFINITION OF OPEN SOURCE

1. Legal innovation of licenses

2. Way of working together on code, collaboratively, asynchronously, remotely

3. Ideology of code re-use & sharing

COMMONS BASED PEER PRODUCTION

Lots of people work on it, everybody benefits from it, and then people can build upon it (even in a revenue generating fashion)

Ted Leung: Explaining Commons Based Peer Production, er, Open Source (2005)

FREE

- open source is "free as in speech" (a license or ideology) not "free as in beer" (no cost)

- How about: "free as in puppies"

Do you think current open source software licenses are the best we'll ever have?

LICENSING INNOVATION

- For the first time in 20+ years, we're starting to see licensing innovation again

- Fair, Ethical, Non-Commercial

  - Parity & Prosperity

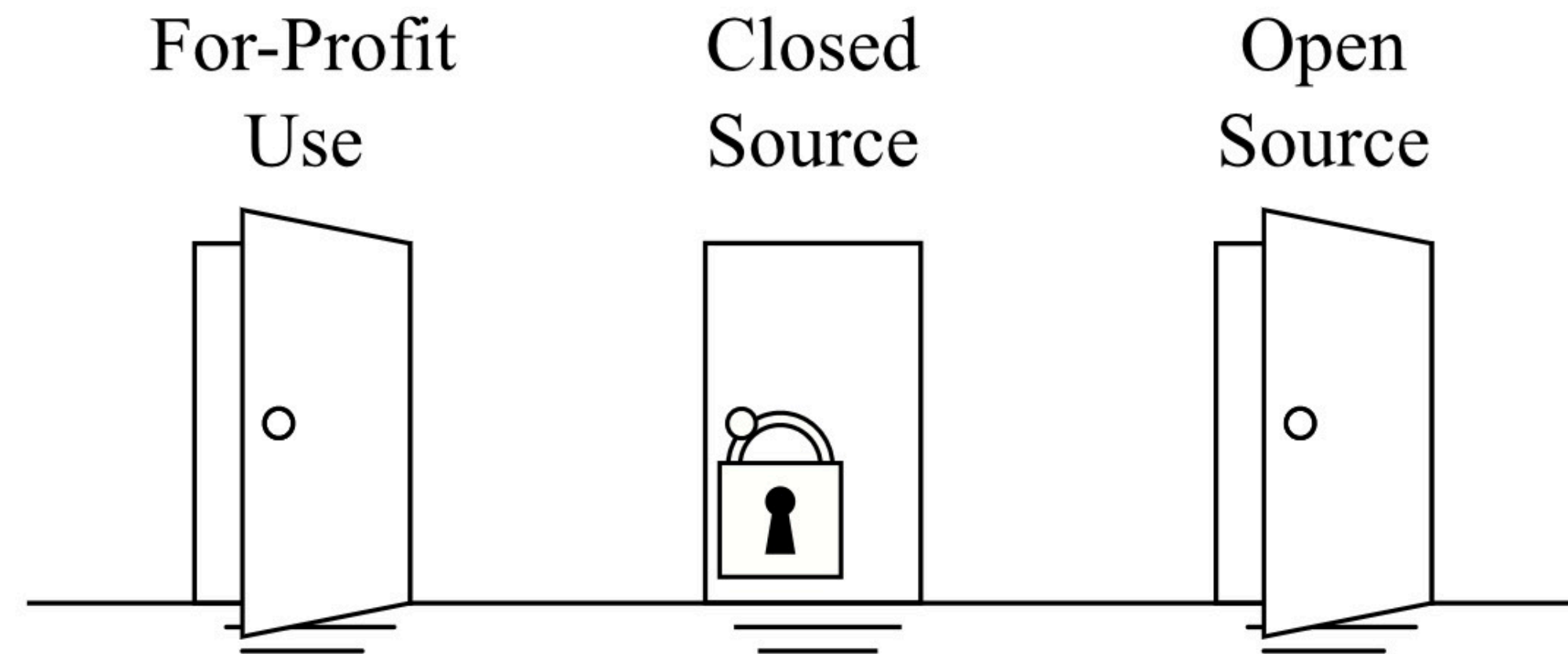 - 996ICU

  - Big Time Public License

OPEN SOURCE DEFINITION

- Maintained by the Open Source Initiative

- https://opensource.org/osd

- Last modified in 2007

- Should we stop legal innovation???

- Read more from Kyle Mitchell

PARITY & PROSPERITY

Parity: copyleft / share alike

Prosperity: non-commercial

For-Profit Use	Closed Source	Open Source

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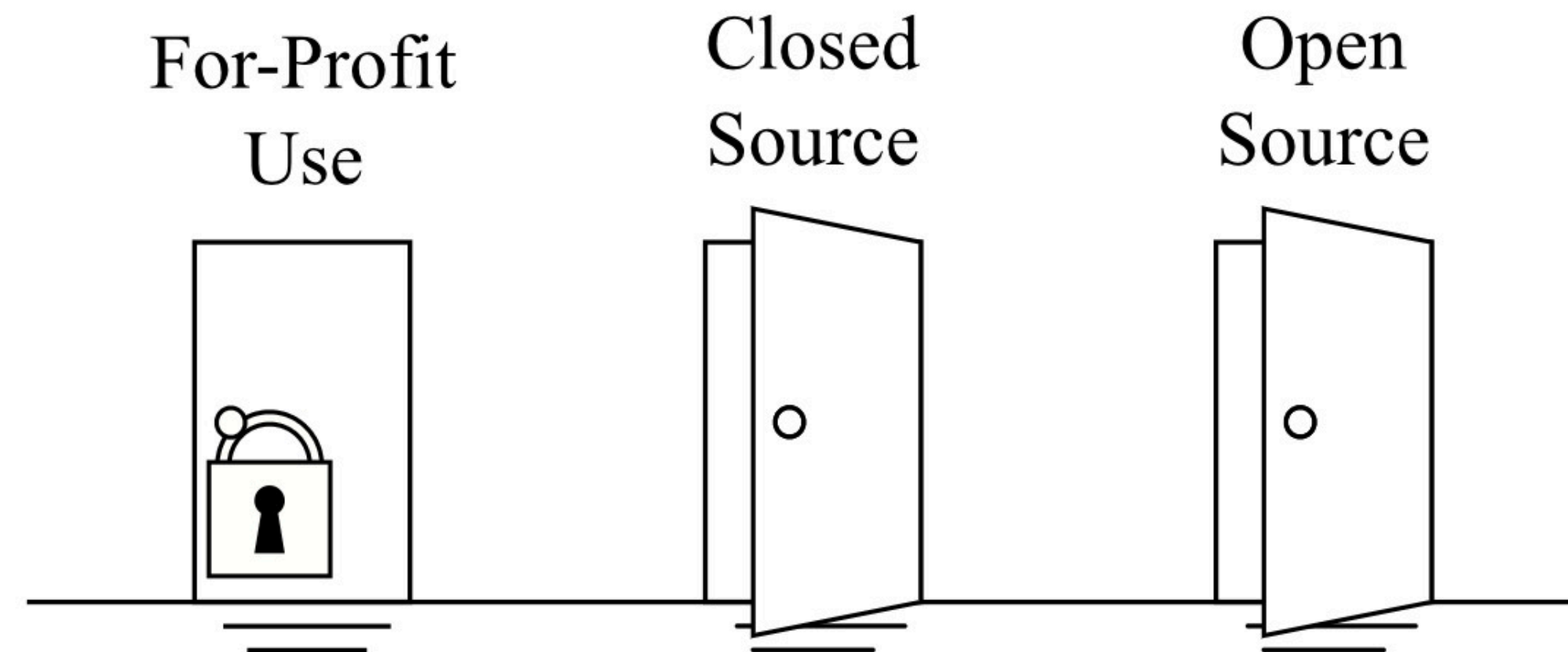
996.ICU

- The name <u>996.ICU</u> refers to **"Work by '996', sick in ICU"**

  - an ironic saying among developers in China, which means that by following the "9am - 9pm, 6 days per week" work schedule, you are risking yourself getting into the Intensive Care Unit

- Anti 996 License

  - derived from MIT, but disallows companies that work like this

BIG TIME LICENSE

- The <u>Big Time License</u> is a non-commercial license that is also free for small business

  - Small business defined as less than 20 staff, less than $1M revenue, and less than $1M investment

  - "fair, reasonable, and nondiscriminatory paid-license terms will be available for everyone"

CHOICE OF LICENSE

- Distribution/adoption?

- Free labour from contributors?

- Lock it open?

- No one but your company can easily commercialize it?

- [Polyform Standardized Licenses »](#)

- [Blue Oak Permissive License List »](#)

Open source is not a business model

BALANCING MAKERS AND TAKERS TO SCALE AND SUSTAIN OPEN SOURCE, DRIES BUYTAERT
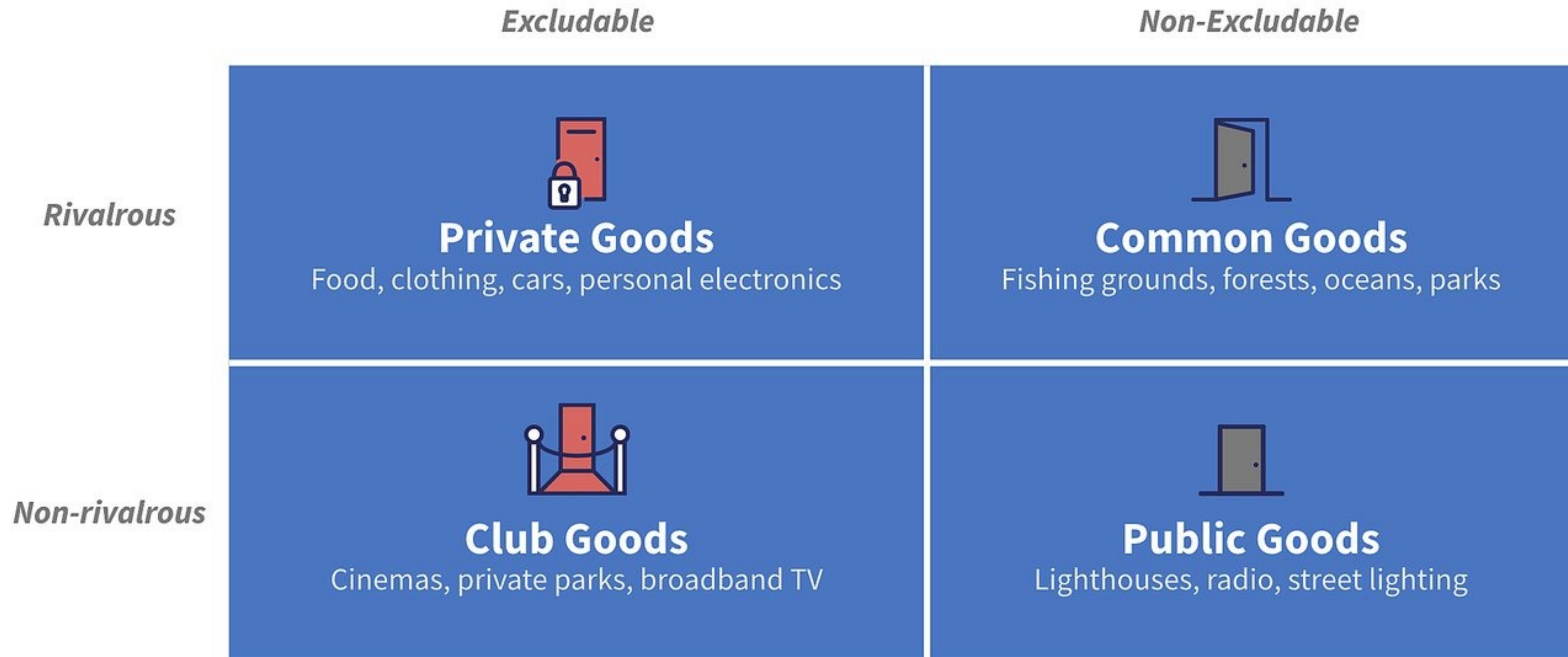
— Dries Buytaert, *Balancing Makers and Takers to Scale and Sustain Open Source*

OPEN CODE IS A PUBLIC GOOD

- Open source code is a **public goods**; code can be infinitely copied at no cost

- Customers might be considered a **common good**

- What about maintainer time? issues, features, docs, etc. — maybe we should restrict this by contribution?

WHAT'S YOUR BUSINESS MODEL?

- What you sell may or may not have anything to do with the license of your code

  - Adoption, Distribution, Marketing, and even Hiring likely to be impacted more

- A lot of companies with an open source core sell services or hosting

COMMERCIAL OPEN SOURCE SW (COSS)

- Some examples:

  - **Cal .com:** AGPL + Commercial License

  - **PostHog:** MIT Expat + Commercial License

  - **Outline Wiki:** BSL, no-charge community edition,

CAN OPEN SOURCE BE A JOB?

- A lot of open source is produced and maintained by employees who have paid day jobs

- "Indie" open source is incredibly hard for developers in the Global North to make enough money through just contributions

- What about the rest of the world?

NEW TOOLS FOR MAINTAINERS

- Restricting access or giving special perks to contributors has been hard

- There are a suite of new tools:

  - Open Collective https://opencollective.com/

  - Polar https://polar.sh

What about AI???

AI + SOFTWARE DEV = ???

- There are open source and commercial Integrated Development Environments (IDE) today:

  - Steve Yegge is building "chat oriented programming" (CHOP) at Sourcegraph. Read <u>The Death of the Junior Developer</u>

- Maybe many more developers, like "no-code"?

  - Maggie Appleton presented at Local-first Conf. Read <u>Home-cooked Software and Barefoot Developers</u>

OPEN SOURCE IS NO LONGER A RADICAL ACT

- Running things ourselves, for small groups, for our community, for our country

- Building on protocols rather than platforms

- A Decentralized Web, Web3, Local-first software, of user agency and ability to use your data everywhere

What if we worked together?

THANK YOU!

- Slides, Talk Notes, Links & Comments on my website

- My socials https://bmann.ca

https://bmannconsulting.com