

## Packages - Freedom Issue #748

Freedom Issue # 3609 (open): List of core freedom issues affecting work in Parabola.

### PKGBUILD Licenses

2015-06-25 04:45 PM - beadleha

<b>Status:</b> open	<b>% Done:</b> 0%
<b>Priority:</b> freedom issue	
<b>Assignee:</b>	
<b>Category:</b>	
<b>Description</b>	
It appears to me that the Arch PKGBUILDS are ambiguously licensed. As scripts, they would seem to be copyrightable and licensable material. Many Parabola packages are generated with these Arch PKGBUILDS.	
Other Parabola packages are generated by PKGBUILDS that are derived from the Arch ones. For example, see Abiword: <a href="https://projects.parabola.nu/abslibre.git/tree/libre/abiword/PKGBUILD">https://projects.parabola.nu/abslibre.git/tree/libre/abiword/PKGBUILD</a>	
The issue is whether or not a PKGBUILD is copyrightable. I currently suspect that they are.	

### History

#### #1 - 2015-06-25 04:52 PM - beadleha

Edit: I should clarify that the implication of this would be that we are building all our packages with nonfree software.

#### #2 - 2015-06-25 04:57 PM - Giedrius

<https://bugs.archlinux.org/task/44893>

Allan McRae: "I'd find it difficult to believe that we could ever enforce a licence for a PKGBUILD. They are typically not substantial enough to have copyright."

#### #3 - 2015-06-26 07:08 PM - beadleha

This is a difficult question. Deciding that there is some lower bound for being substantial enough to be copyrightable would set a precedent that could cause problems in other areas. How substantial is most substantial PKGBUILD? How is that quantifiable?

I know that names, titles and short expressions are not copyrightable. (These can be trademarked) A PKGBUILD is typically much more substantial than that, however.

When a program is under a license such as the GPL3, every part of that program is protected. Even insubstantial segments of it are just as protected as the whole. I think this might be a question for the FSF.

#### #4 - 2015-10-12 02:47 PM - fauno

iirc official arch pkgbuilds would be gpl2 since that was the license used by arch back when we started, but i can't find anything related to this, except for a guy believing the same as i.[^1]

i agree most of them aren't copyrightable... but ianal :)

i thought we discussed this when we applied for fsdg?

[^1]: <https://lists.archlinux.org/pipermail/aur-general/2011-February/013653.html>

#### #5 - 2015-10-12 03:08 PM - fauno

here's the discussion about parabola on the gnu-linux-libre list: <https://lists.nongnu.org/archive/html/gnu-linux-libre/2011-01/msg00023.html>

i can't find any mention of pkgbuilds licensing...

#### #6 - 2024-03-21 03:00 PM - GNUtoo

- Parent task set to #3609

#### #7 - 2024-03-21 03:09 PM - GNUtoo

- Tracker changed from Bug to Freedom Issue

I found this bug report only now. We've started to address the issue: <https://git.parabola.nu/abslibre.git/tree/COPYRIGHTS>, and now a very small subset of our packages have a clean copyright status.

Though it will probably take a long time to fix as we would need to rewrite many upstream packages definitions.

A better fix could be to work with upstream and convince them to choose a free software license and help contact previous contributors to Arch Linux to enable to clarify the copyright status of more and more PKGBUILDs. Some Arch Linux developers already choose a license for their PKGBUILDs but the license declaration is usually outside of the PKGBUILD (like in IRC, bug reports, their own website, etc).

While this task looks like a lot of work, if Arch Linux is also involved this should speed things a lot. For instance they could take a project decision for licensing of future work and post an announcement to help contact present and past contributors. And we could help contacting people and collecting licenses declarations as well.

Some free software projects, like VLC or Openstreetmap had to do similar work to change license and this worked.

#### **#8 - 2024-03-21 06:49 PM - nona**

As an uninformed opinion, didn't I read somewhere that a small script is not really copyrightable? or that it is not really needed? Many (most?) @PKGBUILD@s are very short with very common "algorithms" (let's call them like that) or functions. If one can license:

```
./configure  
make  
make install
```

or other common compilation, building or packaging commands, we are kind of screwed, right?

<https://www.gnu.org/licenses/gpl-faq.en.html#WhatIfWorksShort>

#### **#9 - 2024-03-29 10:19 PM - bill-auger**

just for completeness, i will add that i wrote a proposal for arch a while back, which i posted to the parabola mailing list - i showed it to an arch dev a few weeks ago and he explained to me that arch accepts RFCs from the public

<https://lists.parabola.nu/pipermail/dev/2022-April/008232.html>