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Subject: Re: gif license

Posted by [Dennis Boccippio](#) on Fri, 02 Nov 2001 15:16:48 GMT

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In article <xmzsnbyjtqj.fsf@esa.nascom.nasa.gov>,

Stein Vidar Hagfors Haugan <shaugan@esa.nascom.nasa.gov> wrote:

> Dennis Boccippio <djboccip@hotmail.com> writes:

>

>> Update: we got hit with the \$475 'processing fee' as well (NASA/MSFC

>> for their 'governmental use' agreement) but no other fees.

>

> Shouldn't NASA simply pay up \*one time\* for the agreement? Sounds like \$475

> for an agency-wide agreement is not a huge expense. The paperwork involved in

> actually getting it done by NASA might cost two orders of magnitude more,

> however.

>

Only problem there is that it's not clear we could (agencywide) answer all of their questions in a way which would guarantee a \$475 "no-charge" limited agreement. I can't vouch that other NASA IDL users wouldn't use IDL/LZW for applications which might violate Unisys' idea of acceptable use. E.g., if IDL was used as the back-end of a (publicly available) cgi-script to generate and distribute GIFs, it seems like we indeed would be exporting functionality, rather than just 'latent' functionality (code)... (?)

>> Restrictions

>> include no redistribution of software incorporating LZW functionality,

>> which I read to mean we can't send homegrown IDL code with

>> READ\_GIF/WRITE\_GIF functionality to our data users.

>

> Of course you can - you're not sending them the LZW functionality, you're just

> sending programs which rely on that functionality. But your users have to pay

> the processing fee, or somehow use an IDL version that provides the

> READ\_GIF/WRITE\_GIF routines..

I dunno, that seems a semantic point that I'd be cautious to concede.

Copyright/patent lawyers have a strange logic all their own, and the one

thing I learned about copyright law (granted, a separate issue) when

working with online journal policy is that logical interpretation by

laymen is ill advised :-). For NASA's sake, I'd rather play it safe.

Actually for my own sake, since N has no qualms about holding employees responsible for errors in judgment :-)

>

>> Debating whether or

>> not its worth it... the 6/03 expiration info is helpful...

>  
> Isn't it.. Also, if you're a user that should pay no money for the license,  
> because you're not making money off LZW, I don't think anyone would get far  
> with an infringement lawsuit (i.e. can they sue you for not paying the  
> processing fee?). However, I'm not a lawyer.. ;-)

Yeah, and I doubt the Unisys Police are trolling the NASA software distribution URLs. Nonetheless, it's a relatively low-cost CYA measure...

The bigger problem is how to actually PAY them. Their payment options that came along with the draft agreement aren't particularly government-bureaucracy-friendly. Nice of them to make it easy to do the right thing...

DJB

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