STATEMENT TO BE INCLUDED IN OFED:

OFED is distributed as a source tarball, including both kernel space and user space code. The kernel space code includes a small number files that are GPL only. (Listed below) Those GPL only files are all part of the RDMA subsystem in the kernel. A few of those GPL only files are >required< to build a functioning OpenFabrics(-based) product. This means that the OFED kernel space code is GPLv2 licensed. The user space code, however, is still dual-licensed (GPL and BSD). Simply being bundled in the same source tarball does not taint the user space code.

BACKGROUND INFORMATION:

Legend: Black text is verbiage provided to the lawyers

Blue text is from the RedHat lawyer

Green text is from the OFA lawyer

OFED is distributed as a source tarball - that tarball includes a small number files that are GPL only. Those GPL only files are all part of the rdma subsystem in the

kernel. A few of those GPL only files are >required< to build a functioning OpenFabrics(-based) product. OFED builds the RDMA kernel subsystem code as loadable kernel modules, not statically linked into the kernel.

OFED consists of kernel space code and user space code. The kernel space code is within the RDMA sub-system. The user space code is just that - user code that interacts with the RDMA kernel code. Both kernel space and user space is included in the same tarball.

Q1:  If someone builds OFED for a Linux OS, as downloaded without any added files of their own creation, is the result GPL?

Any kernel space parts of OFED have to be licensed under GPLv2. The mere fact that it's all together in one tarball is not significant in itself. Everyone agrees that the copyleft scope of GPL arising from the kernel does not extend to user space (assuming no actual copying of code from the kernel into the user space code). It is important, therefore, to be clear that the user space code is “untainted” by the kernel space GPL bits and therefore remain dual license.

I concur.

Q2:  If someone builds OFED for a Linux OS, including additional files/libraries that are dual licensed - is the result GPL?

Same answer as above.

I concur.

Q2A:  Does the answer change depending on whether the additional files are source code or binary blobs?

Same answer as above.

I concur.

Q2B:  Does the answer change depending on whether the dual-licensed files are built as loadable kernel modules or statically linked into the kernel?

No, I would not make a distinction along those lines.

I concur. There is a Government FAQ that states "Weak protective licenses require derivative works of the open source software to be redistributed under the same or similar open source terms, but specifically allow other software to link to the original open source software or derivative work without imposing the open source license requirements on the linked software.” That statement, however, applies to LGPL, not GPLv2.

Q3:  If someone builds OFED for a Linux OS without any of the GPL files, either by removing them from the build process or clean-rooming those files, is the result GPL?

Probably not, unless there is any other reason why what you're building is subject to the GPLv2 (for example, suppose in clean-rooming a file the developer ends up copying some code from some GPL project).

I concur.

Q4:  If someone downloads OFED, changes the kernel files to allow for use by an OS other than Linux and includes the GPL only files as part of the build for that non-Linux OS, is the result GPL?

I think I'd need more information to answer this (in particular I'd

want to examine these particular kernel files which I haven't done),

but I'd probably conclude that the result should be assumed to be GPLv2.

I concur that more information is needed. I’m not competent to examine the particular kernel files.