

Licensing Team - Task #48420

Check if we can include "Share" font in TYPO3 CMS

2013-05-21 20:26 - Ernesto Baschny

Status:	Needs Feedback	Start date:	2013-05-21
Priority:	Must have	Due date:	
Assignee:	Ernesto Baschny	% Done:	0%
Category:		Estimated time:	0.00 hour
Target version:	Q1 2017		

Description

In issue #36017 it was decided to include the "Share" font for use in the TYPO3 CMS Backend starting with 6.2 LTS.

The technical part is already done (merged), but we yet need to make sure there aren't any licensing problems with that.

Share font license is - as it seems - <http://creativecommons.org/licenses/by-nd/2.5/>. TYPO3 CMS is (as you know), released under the GPLv2.

At **most** at T3CON13 we need this information, as this is the date when we will release TYPO3 6.2 LTS. :)

Thanks!

History

#1 - 2013-05-22 12:59 - Christian Nölle

Quite interesting question. CC BY is a licence without a copyleft, thus not compatible with the GPL, see <http://www.gnu.org/licenses/license-list.de.html#cby>

Furthermore I have my doubts that the CC is appropriate licence for a font, as it do not covers font specific questions as embedding asf

#2 - 2013-05-22 14:06 - Ernesto Baschny

Meanwhile Felix Kopp already send a Mail to the author of the Share font (<http://www.carrois.com/type.html>) asking for his permission to include the font in our TYPO3 CMS distribution. So let's see what he answers.

#3 - 2013-05-23 08:36 - Ben van 't Ende

It was explicitly released to the public some while back and is absolutely free to be used for anything keeping the branding guidelines in mind.

<http://typo3.org/news/article/the-typo3-font-share-now-freely-downloadable/>

#4 - 2013-05-27 18:11 - Ernesto Baschny

Felix is currently trying to get in touch with the author (Carrois) by mail. If he doesn't respond, he will further try it by phone.

#5 - 2013-08-07 08:09 - Jo Hasenau

- Status changed from New to Needs Feedback

- Assignee set to Ernesto Baschny

#6 - 2013-08-07 09:57 - Ernesto Baschny

No change here yet. The alpha release included the Share font indeed without further information, AFAIK. I am not sure if Felix got some feedback from the author after all. He seems to be very difficult to reach. I will ask Felix.

#7 - 2013-10-06 11:22 - Christian Welzel

There is another "Share" font on google fonts:

<http://www.google.com/fonts/specimen/Share>

That one is listed as "SIL Open Font License, 1.1".

It looks like the one from Typo3.

#8 - 2013-10-07 21:27 - Ernesto Baschny

I pinged Jens again in <http://forge.typo3.org/issues/36017#note-61> if he can get in touch with Ralph de Carrois. Ben, can you give it a try contacting

Ralph too, please? It seems that Jens doesn't have time to look into it currently.

We would "simply" need a licensing exception from the author to allow us to include his Share font in our GPLv2 TYPO3 CMS product. And additionally an authorization / exception / approval of our modifications of the font files, which now include other eastern European characters which the original font did not include (see [#49996](#)). We can send him the files if he wants and he can use them also. I guess Jigal created these without any licensing restrictions in mind. :)

Also would be interesting to know if he knows this "Botio Nikoltchev" (<http://www.google.com/fonts/specimen/Share>) which claim to be the author of the Share font (and distribute it with another license).

#9 - 2013-10-07 21:35 - Ben van 't Ende

ok message sent

#10 - 2014-03-11 10:34 - Ernesto Baschny

Ok, new development. We were in contact with Ralph this last few month. He was working and will finish work on a new version of the "Share" font called "Share Pro". This contains enhanced functionality and support and he will be selling licenses for it too.

There will be a "Share Free" variant with less features available for free (like before).

But he grants us (the TYPO3 Association and it's products) the right to include this new font in the products, i.e. in TYPO3 CMS 6.2. I asked him to send us some exception sentence we could use for that.

This is what he came up with:

Die im "System/Software" eingebundenen Fonts dienen lediglich der Funktionalität des "Systems/Software" und stehen neben dieser Funktion Nutzern der "Systems/Software" nicht für andere Zwecke zu Verfügung auch wenn das technisch möglich wäre.
Weder Verwertungs- noch Nutzungsrechte ausserhalb der "System/Software" der im "Systems/Software" eingebundenen Fonts gehen mit Erwerb der Nutzungsrechte der Software an den Nutzer über.

*Frei nutzbare und kommerziell einsetzbare Versionen der Fonts des "Systems/Software" finden Sie unter: z.B: typo3.org/sharefree oder carrois.com/typefaces

Now I leave it to the licensing team to give me the information if we can include these embedded fonts in TYPO3 CMS (GPLv2) or not, or if we need anything else in the text. We will probably also need this text in english.

Suggestions?

#11 - 2014-03-11 11:15 - Jo Hasenau

The exception should be enough since it covers anything the GPL covers as well. He does not restrict the exception to the "Software/System" in it's current state, so anything called "derived work" (as the GPL says) based on that current state would be granted the same exception. But of course the exception has to be part of any license of any derived work and no one will be allowed to remove it in later versions.

BTW: The current license of TYPO3 CMS is already GPL v3 at least, since the license says "GPL v2 or later" for most of the parts of it. In the current state there are already parts though, that are GPL v3 only or compatible to GPL v3 only. So following the rules of the GPL, the rest of the system MUST be treated as GPL v3, otherwise it's parts would not be compatible to each other.

You don't have to state that explicitly though, since is not necessary according to the GPL. "GPL v2 or later" will be enough and it gives us the chance to still take these parts and put them into a GPL v2 only version (although I can't imagine a good reason to do so).

#12 - 2014-03-11 11:17 - Ernesto Baschny

thanks for the quick answer. If that "would be ok" we would also need a translation of this text. Ralph can offer the translation but he will need some money for the translator. Do we have a (legal) translator? Which budget would that fit into? Isn't there a "licensing budget"?

#13 - 2014-03-11 11:19 - Jo Hasenau

I don't know if there is a budget for this year as well, but Olivier should know.

But anyway I think we can take a modified version of other exceptions in English, that have been made for similar purposes. In this case we just have to make sure the author agrees to that "translation".

#14 - 2014-03-11 11:32 - Ernesto Baschny

We have not included any other "non-open-source" library in our core until now, so there are no precedents, AFAIK. We only have exceptions from other "open source" licenses which were not compatible with GPLv2. That still allowed people to take that library "out" (or get it from somewhere else) and use in their projects.

The Share font in this case is special, because it is not "free to use" and should also not be extracted or used by TYPO3 CMS users in any other way. The user gets no "rights" other than enjoying them inside TYPO3 CMS backend. It should not be used in your own Webpage, even thou it would be easily available.

I guess the translated text should convey these aspects, if it is even legally correct to do so in a GPL software...

#15 - 2014-03-11 11:41 - Jo Hasenau

I didn't mean exceptions for TYPO3 in particular, but just exceptions that have been made by font designers who granted a GPLed project the right to use their non GPLed font.

Anyway the question we already got via mail is: Do we really need the non free version, and what does it offer that the free version can't do?

#16 - 2014-03-11 11:49 - Jo Hasenau

BTW: Here are some "officially accepted" exception texts <https://www.gnu.org/licenses/gpl-faq.html#GPLIncompatibleLibs>

#17 - 2014-03-11 11:50 - Ernesto Baschny

Most basically we need support for polish signs (Eastern European), and the free version won't include that.

Other than that, the free version is not really ready yet. :) I just have a "beta" from the "Pro" version in hands. :(

The original old "free" one didn't either BTW, but we "modified" it (Jigal): [#49996](#).

#18 - 2014-03-11 12:09 - Jo Hasenau

OK - we should discuss the reasoning somewhere else I guess ;-)

For the licensing it should be enough to have the author adapt the exception templates provided by the free software foundation.

#19 - 2015-04-08 10:46 - Olivier Dobberkau

- *Target version set to Q2 2015*

#20 - 2017-02-03 11:15 - Olivier Dobberkau

- *Target version changed from Q2 2015 to Q1 2017*