



## What is freeware?

By CK Wong 2005.08.28

<http://www.ck-wong.ca/Freeware/What%20is%20freewareS.pdf>

### Introduction

If you get something for nothing, is it free? When you have return the favor by doing something, it is true that no money changed hand, but it is not free. The tender is your service. Some software comes in the form of shareware; try it before you buy it. It has similar nature like you buy merchandize but return it if you don't happy with it. In this case, the transaction happens only after you are happy with the merchandize; so this is a conditional offer. It is still not free.

Freeware movement is the result of Free Software Foundation [1]. The organization vows *“to preserve, protect and promote the freedom to use, study, copy, modify, and redistribute computer software, and to defend the rights of all Free Software users”*. But it does not free the end user to have a license to use the software.

### Why there is a license for software?

When we buy a TV, it comes with a warranty; the license to use and the proof of ownership of the physical entity. When you buy the software, the receipt from the store entitles you to own the media. The piece of paper in the box grants you the right to run the program. That is the license. What happens to the case that there is no paper but the file on the medium. It is the equivalent of the paper. Law has advanced to allow the absence of the paper; may be saving some CO2 credit and a few trees.

In the eye of law, ownership must be granted. Usage and access must be granted. Ton of law has devoted to what should be the basic right and how to let people to use public resources. This is the mass license granted to the group of people. Boring hair splitting stuff and who cares? When there is no problem, no body cares. When there is liability, the license protects or limits you. It clearly spells out the boundary. You know what you are paying for. If there is no license, just like no will for the estate, who should get what becomes complicated.

In the true spirit of freeware, it should be a mass agreement between the full right owner of the software grants the public to use software. Let's stop here for a moment. A fair license should be bi-directional. It does not only protect the owner but also the user. If it absence, what will I get into when I use the software? Move famous GPL (GNU Public License) does not really protect you but just spell out your obligation.

I have to give Microsoft credit. From 1980 to now, the End User License Agreement (EULA) has been progressed so advanced that it does not only protect Microsoft but also

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the user. It does not only tell you what you can do but also cannot do in plain language everyone can understand. It also put a lot of burden on Microsoft, e.g. forcing the end user to get the software from Microsoft as oppose to asking you to distribute the latest version.

I have just visit the GNU site [2] to check out any advancement in the last three years. I still find the legalese such as “derived work” which really disappointed me so much that I worry what is really buried in the rest of the license. The license has been evolving since 1981. Software developer keeps on licensing their software by referring to the GPL. There are multiple versions with dramatic difference. The loose grant frustrates me that which version are they referring to. To me going through all the obligations in the license is no freedom. It has to be simplified to meet its slogan: *Free software is a matter of liberty not price. You should think of "free" as in "free speech"*..

Freeware I use it every day but I am not comfortable with it after I have deal with freeware license over 15 years. I am just one of millions doing the same thing: use the freeware. Why should I worry about the license?

## Reference

[1] Free Software Foundation. <http://www.fsf.org/>

[2] GNU GNU is not Unix. <http://www.gnu.org/>