

Issues for Discussion about Derivative Works in GPL

1. When a program (e.g. application program) statically links with a GPL program (e.g. a library program), should the whole executable program be covered by GPL?

If so, is it because license is required because the whole executable program is deemed to be the derivative work under the US Copyright Act of the GPL program, and the copyright of the author of the GPL program extends to it?

Or, is it because you must observe the term of the GPL (Section 2) since you have agreed to it?

2. When a program dynamically links with a GPL program, should the program be covered by the GPL?
3. Should a dynamic loadable module of the Linux kernel which is licensed under the GPL be covered by the GPL?
4. Should a device driver, which often takes the form of dynamic loadable module, be covered by GPL?
5. Should the application programs of Linux be covered by the GPL?

Mr. Linus Torvalds, copyright holder of the Linux kernel, has declared that application programs of Linux need not be covered by the GPL. Should they be covered by the GPL without his declaration?

6. It is supposed that an embedded system using Linux takes the form of one executable program including application programs. Should it be covered by the GPL as a whole?
7. When using the C or C++ language to write programs, "header files" which define macros and data structures are needed. If header files distributed under the GPL are used, should the program be covered by the GPL?