

Legal Documentation Policy

COIN-OR Foundation

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1 Introduction

The COIN-OR Foundation repository consists of a variety of independently managed open-source projects of potential interest to practitioners of operations research, including students, researchers, and professionals. Most of the Foundation’s legal exposure comes from the fact that our mission is to publicly disseminate intellectual property (IP) in the form of source code, documentation, and related content. The guiding principle of the Foundation’s legal policy is to ensure that the origin and ownership of all significant IP associated with a project is established before it is offered for distribution or redistribution. The primary way in which the Foundation endeavors to ensure this is by mandating the maintenance of a *legal checklist* of items that characterise the level of legal documentation maintained by a project.

2 Legal Checklist

The Foundation will maintain a legal checklist that prospective users of a project can consult to quickly determine the degree to which a project has attempted to document the provenance of its code base. Table 1 specifies the mandatory requirements that must be met by any project hosted in the COIN-OR repository. These items are required to demonstrate that the PM and the Foundation have made a good-faith effort to respect the ownership of intellectual property. They may not be modified without the consent of the Strategic Leadership Board.

mandatory	An open-source license, approved by the Open Source Initiative, covering all project content. The text of the license, or a reference to the text of the license, must be included in a LICENSE file distributed with the project’s code, along with any other information required by the chosen license.
mandatory	An AUTHORS file listing authors only, where authorship is determined as per the GNU guidelines for a legally significant contribution ^a . The AUTHORS file must be distributed with the project’s code.
mandatory	An electronic plaintext Contributor’s Statement of Ownership and Licensing ^b (or equivalent) for the project, as supplied by the Project Manager, must be filed with the Foundation.
mandatory	An electronic plaintext Contributor’s Statement of Respect for Ownership ^c (or equivalent) for the Project Manager and for each project member with commit permission must be filed with the Foundation.

^aAt the policy adoption date, ‘more than 15 lines of code and/or text that is legally significant for copyright purposes.’

^bAppendix B

^cAppendix A

Table 1: COIN-OR Legal Checklist Mandatory Items

Additional optional items may be added to the legal checklist from time to time as determined by the Legal Committee as a matter of procedure.

A version of the legal checklist indicating the degree to which a project has satisfied the checklist items, or equivalent information as specified by the Legal Committee, must be displayed for each project hosted in the COIN-OR repository as part of the project’s COIN-OR web page.

3 Availability of Legal Documents

The Foundation will keep on file all legal documentation that it receives. Documentation received in electronic form will be held online but not publicly accessible.

The Foundation does not have the ability to verify legal documentation or to perform code reviews; this is left to prospective users. On request, the Secretary of the Foundation will make available contact information for the project and a list of the documents provided by the project so as to allow licensors to be contacted directly for verification of legal documentation. Copies of the original documentation will be made available by the Foundation only where the original licensors are unresponsive or have specifically requested the Foundation to provide copies of the documentation in response to such requests.

A Contributor's Statement of Respect for Ownership

Contributor's Statement of Respect for Ownership

I, _____, certify that

- (a) I have read and understood the statement below on Ownership of Intellectual Property;
- (b) for any contribution I make to the COIN-OR Foundation repository, I will make all reasonable efforts to determine the legal owners of the contribution, and I will obtain the permission of the owners of the contribution to make the contribution available under an open source license certified by the Open Source Initiative;
- (c) if I am employed, I have discussed contributing to COIN-OR with my employer, _____, and have obtained their permission to contribute or have determined that they do not assert ownership rights to my contributions;
- (d) I will not knowingly submit any contribution of which I am not the owner or for which I do not have the owner's permission; and
- (e) for any contribution I make to an existing project, I will use the same license the project was released under.

(signature of contributor)

Ownership of Intellectual Property

The creator of a work may not be the sole owner of the intellectual property associated with the work. In general, *any* individual or organization which contributed resources to the development of a work may be a co-owner. The legal ownership depends on the particulars of the situation and the contracts involved. Some employment contracts assert that the employer has ownership rights to any work created by the employee, even if that work is created outside of regular working hours and without the use of the organization's resources. Also, an employer may be fine with contributions to one project but not to another.

Contributors should consult with their management, legal counsel, and/or technology transfer officers when determining the legal ownership of a contribution.

B Documentation of Ownership and Licensing

Contributor's Statement of Ownership and Licensing

I, _____, represent that:

- (a) the individuals and organizations listed immediately below are the only owner(s) of the contribution _____

- (b) if any part of the contribution is not owned by the individuals and organizations listed in (a), that part was obtained under an open source license certified by the Open Source Initiative; and

- (c) all owners have agreed to license the contribution under the _____, an open source license certified by the Open Source Initiative.

(signature of contributor)

The Owner's Confirmation of Licensing is the first-party verification of the Contributor's Statement of Ownership and Licensing, to be filled out by each owner. This documentation is not part of the COIN mandatory legal documentation but is used to obtain optional higher levels of legal documentation. A copy is included here for completeness.

Owner's Confirmation of Licensing

I, _____, am an owner of the contribution _____, and I agree to license any portion I own under the terms of the _____, an open source license certified by the Open Source Initiative.

(signature of owner)