



The GNU-GPL is mainly contained in the copyright circle (items 1 through 5). The GNU-GPL requires that copies (2) be allowed, and that derivatives (3) be protected under the same license as the original (1). The GNU-GPL also requires that executables (4) be accompanied by source code (1) if the binaries are distributed. Lastly, the GNU-GPL disallows patents (5) to be applied to derivatives. The GNU-GPL expanded into the purely functional set, by prohibiting functionality (6) that would only allow “approved” derivatives to run on a particular hardware platform. i.e. Tivo-ization.

Hardware Design usually starts with source code such as Verilog (1), which will create derivatives (2 and 3), but when it is converted into it's final product, that object is outside the realm of copyright. It is a purely functional object (6 or 7). Therefore, to require people who distribute designs as (6) or (7) to also distribute the original source (1), the GNU-GPL is insufficient.

When Verilog (1) is converted into an ASIC (6), the ASIC is not a copyright “Derivative” of the Verilog. Therefore, for a Hardware License to prevent users from distributing these devices (6) while hiding their source (1), the license must apply more requirements than the GNU-GPL.

The ideal goal would seem to have all devices using open hardware to end up in category (6) but with accompanying source code (1)