

It Was BSD All Along

Relicensing PHP After 30 Years



SCOPE

One project's story.

Not legal advice.

Every licensing situation is different.

A routine compliance question opened 30 years of history

phpdbg

Company policy: OSI-approved licenses only

PHP and the OSI appeared to disagree

php.net
3.01 ✓

BUT

OSI list
3.0

Substantively identical was not enough

3.0 $\approx$ 3.01

Policy required formal approval, not interpretation.

“

The fact that 3.0 and 3.01 are substantively identical is no use to us at all.

MATTHEW SHEAHAN • 3 MAR. 2020

**The other license never entered
the conversation**

Zend Engine License 2.0

OSI status: *not approved*

Legacy approval solved the reported problem

May 2020

One license approved. The two-license structure remained.

01

How did PHP get here?

One language. Two custom licenses. Three decades of history.

1995

PHP began under GPLv2

PHP 1 → GPLv2

The licensing story began alongside the free software movement and the nascent open source movement.

Commercial adoption changed the conversation

**Keep it
free**

AND

**Let business
use it**

“

A number of significant projects have abandoned the GPL in favour of less restrictive licensing terms. [...] PHP, if I can help it, will always be free. But, I am not against letting commercial entities take a shot at a commercial version as long as the terms are such that the major contributors don't feel cheated.

RASMUS LERDORF • 23 OCT. 1997

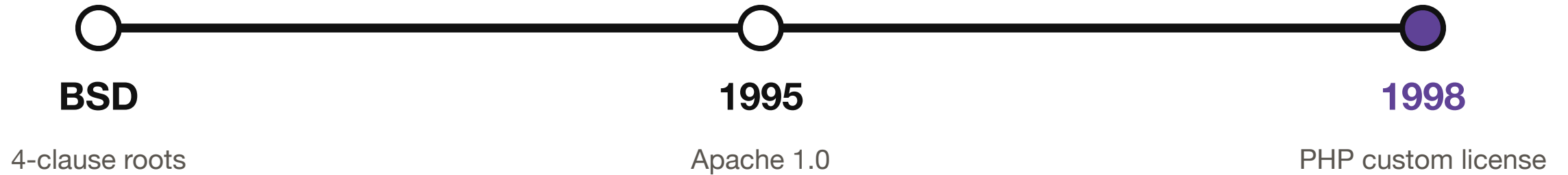
PHP 3 tried to serve both goals

GPLv2

OR

**Custom
permissive**

The custom license came from Apache 1.0



The first extra restriction was already troublesome

PHP 3.0.14 — CONDITION 1

Commercial redistribution of larger works derived from, or works which bundle PHP, requires written permission...

REMOVED

“

**That troublesome clause which we can't
enforce.**

RASMUS LERDORF • 29 JUN. 1999

PHP 4 ended dual licensing and added another license

**PHP
License**

+

**Zend
License**

The Zend split assumed the engine could stand alone

PHP ≠ Zend

A plausible future in 2000.

“

I think there is still some confusion about what role exactly Zend plays in the PHP infrastructure. The host language (PHP) uses the base services provided by the engine (Zend)—services such as memory allocation, persistent resources, compilation, and execution. PHP itself then provides the function libraries, interfaces to the Web servers, .ini file support, etc.

ANDREI ZMIEVSKI • LINUXPOWER • 15 NOV. 1999

“

I'd very much like to see the Zend engine embedded in MySQL at some point. I think it would be great to be able to write the stored procedure code of the DB in the same language as the scripting engine used to access the DB.

ANDI GUTMANS • LINUXPOWER • 15 NOV. 1999

The software evolved while the licenses stood still



02

Intent and text drift apart

What everyone meant was no longer what every clause clearly said.

TWENTY-FIVE YEARS LATER

PHP and Zend were no longer separable

The reason for two licenses had disappeared.



The PHP License mixed permission with project control

- Name
- Acknowledgement
- Change authority

Copyright terms, branding rules, and stewardship lived together.

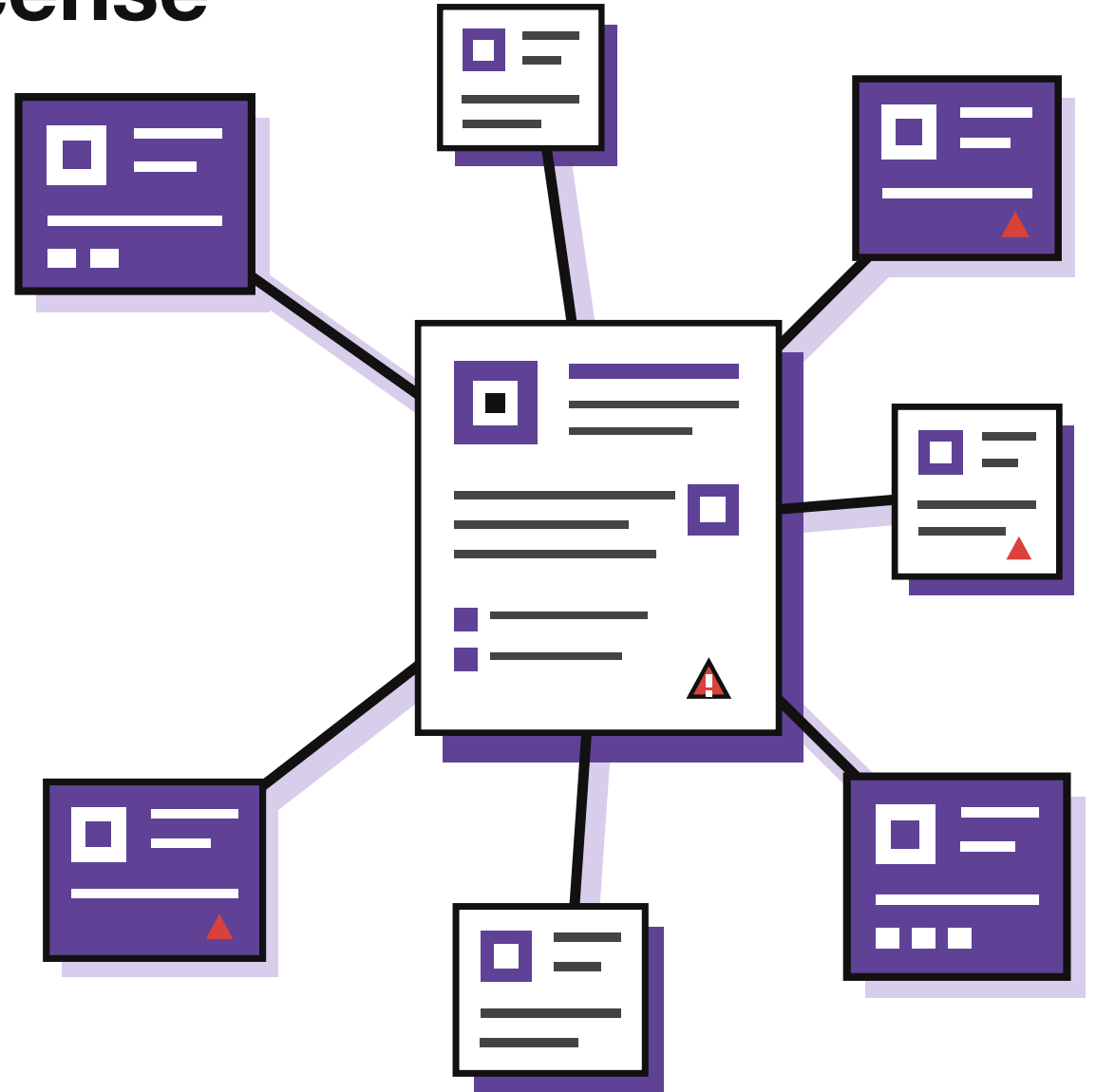
Zend carried its own historical baggage

- Advertising clause
- Acknowledgement
- Change authority

Plus a second license authority inside the same repository.

SBOMs turn forgotten license text into data

Inventory → analysis → policy



**An SBOM records what the
license says**

not what maintainers meant

Intent does not fit in a policy gate.

Automation cannot infer the community's intent

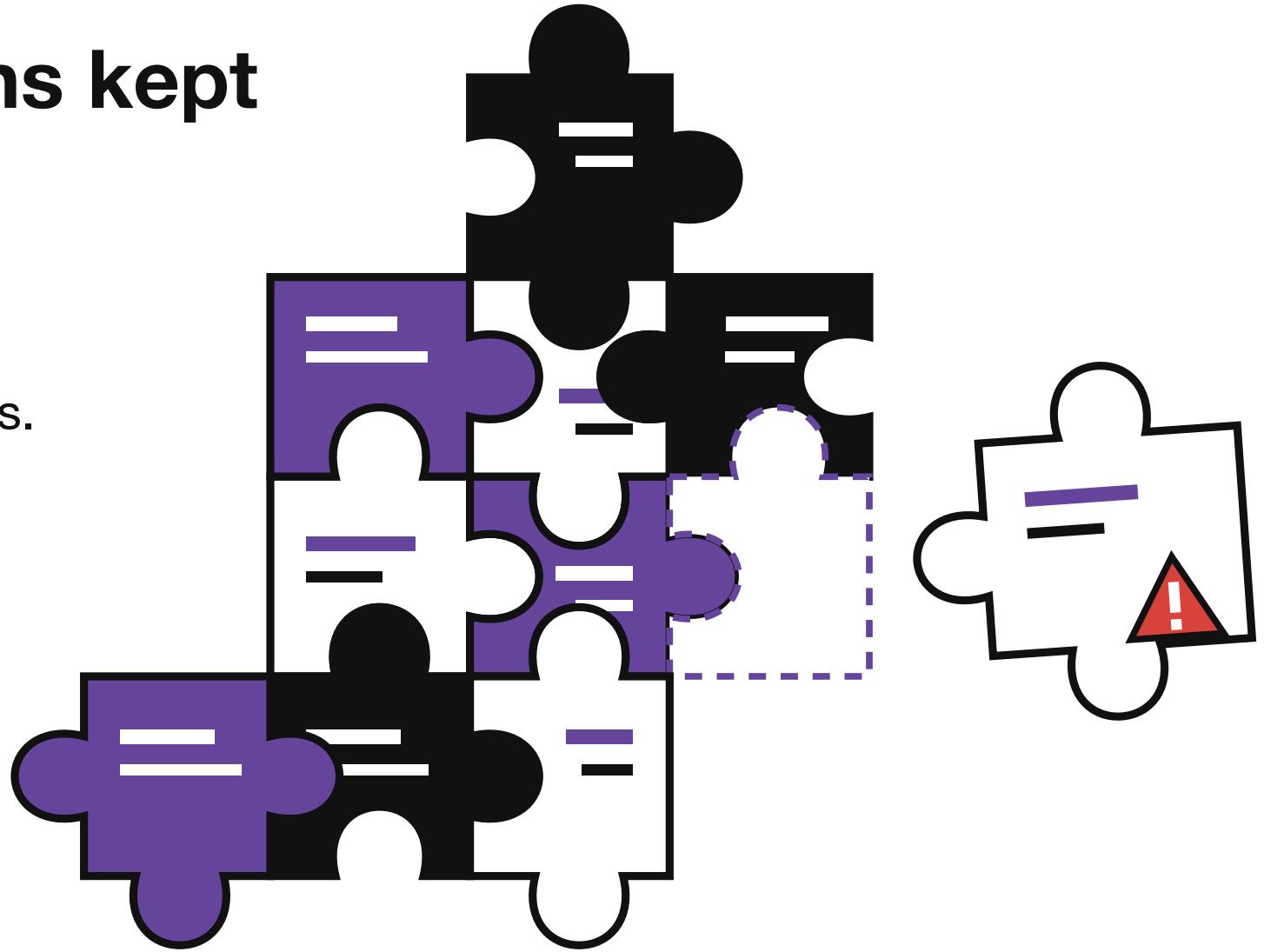
OSI? GPL? SPDX?

Tools evaluate metadata, approval status, and compatibility.

THE AMBIGUITY WAS ALREADY VISIBLE

Debian and extensions kept finding edge cases

Patched distributions. PECL packages.
Project-specific wording.



“

Please pick an existing, well-known license so that we do not have to argue *again* over whether this really solves all of the problems.

WALTER LANDRY • 30 JUL. 2014

THE REVEAL

Remove the project-specific clauses

It was BSD all along.

The familiar license was already underneath.

Both custom licenses reduce to BSD-3-Clause

PHP 3.01
– 4, 5, 6

Zend 2.0
– 4, 5, 6

=
BSD-3

03

Who has authority?

The easiest license choice raised the hardest governance question.

**The obvious answer raised the
hardest question**

Who can say yes?

A 30-year-old project had no single copyright owner.

**Every contributor owns their
contribution**

many copyrights

A project copyright notice does not erase individual ownership.

**A contribution grants a license,
not ownership**

License $\neq$ Assignment

PHP contributors never transferred their copyrights to one body.

Ordinary relicensing asks everyone

30 years × many owners

That path would be impractical for PHP.

No contributor rights were reduced

Same freedoms

+

**No new
restrictions**

The removed clauses belonged to two custodians

PHP Group + Zend's successor

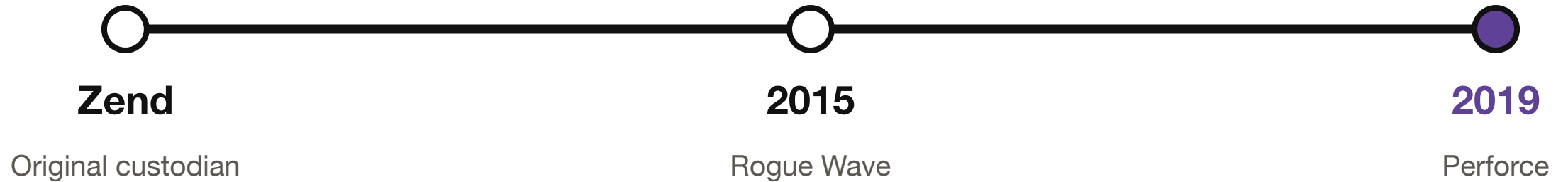


The PHP Group already held change authority

THE UPGRADE CLAUSE

The PHP Group may publish revised and/or new versions of the license from time to time...

Perforce inherited Zend's authority



WRITTEN CONSENT

The necessary custodians said yes

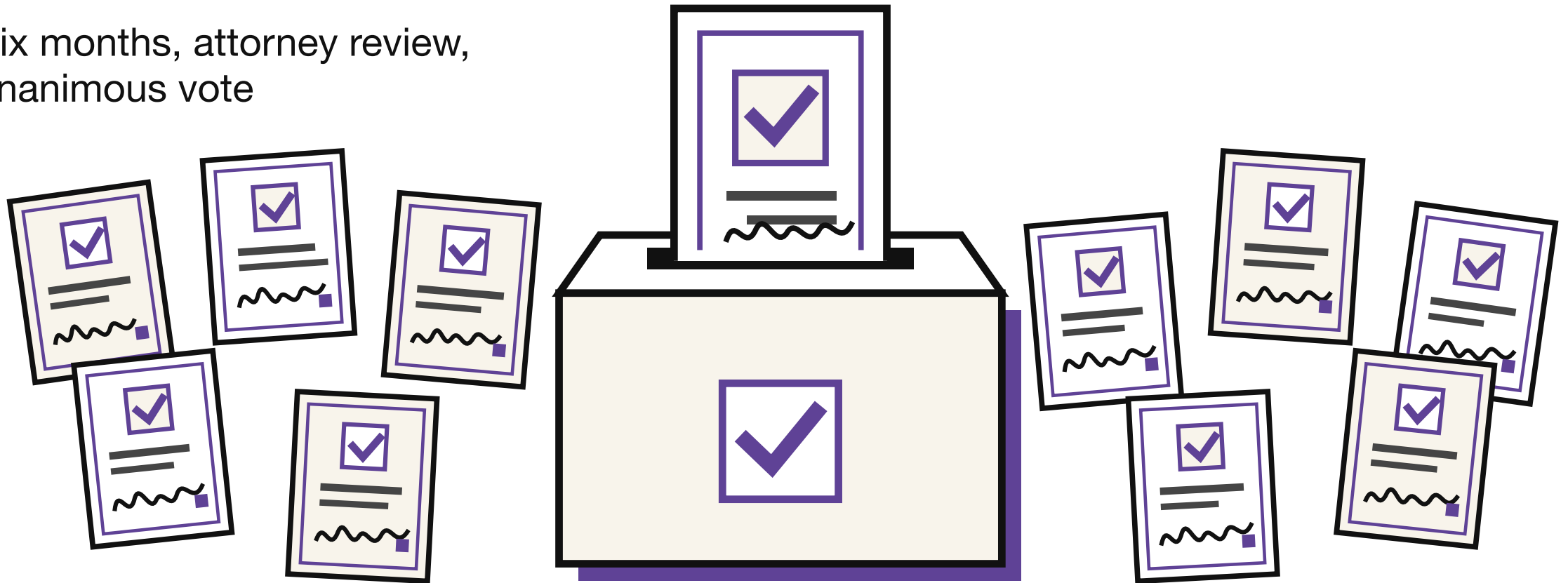
PHP Group

+

Perforce

Legal authority was necessary. Community consent still mattered.

Six months, attorney review,
unanimous vote



04

A simplification, nothing more

The legal foundation finally catches up with the software and its community.

PHP License 4 and Zend Engine License 3 are BSD-3-Clause

The standard license itself,
not another adaptation.



**One standard license now
covers PHP and Zend sources**

SPDX-License-Identifier: BSD-3-Clause

One license file. No separate Zend license.

Standardization closes the old gaps

BSD-3-Clause

OSI approved, GPL compatible, machine readable

EXISTING CODE

Users keep their choices; maintainers gain a simpler one

**Old terms
remain available**

AND

**New version
available**

The freedoms did not change

The ambiguity did.

License stewardship means keeping text, software, and community aligned.

Questions?

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