



The Software License Unveiled: How Legislation by License Controls Software Access

Douglas E. Phillips

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In *The Software License Unveiled*, Douglas Phillips looks at both of these extremes and questions how these proliferating but largely unread license terms affect access to software, one of the economy's most valuable resources. While highlighting the obvious divergences, he makes the more illuminating case that most current models - spanning the spectrum from proprietary to free - have one key feature in common: to an increasing extent, each license model extends, modifies, or displaces public law that would otherwise apply. Unlike books that advocate one form of licensing or another, this one reframes the debate to propose that going forward a key challenge for lawyers, scholars, policymakers, and the public is to consider whether "legislation by license" should be the means for controlling software access.

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