

License Change Alert: Elasticsearch Moves to SSPL

- ✓ Elastic changed its open source license for Elasticsearch and Kibana from Apache 2.0 to the **Server Side Public License (SSPL)**.
- ✓ SSPL is a [non-standard license](#) based on the highly viral Affero General Public License (AGPL) which poses particular risks for SaaS providers.
- ✓ Elastic's switch to SSPL has resulted in blowback from elements of the open source community.

1. **What Changed?** Elastic recently [announced](#) that new source code releases of Elasticsearch and Kibana, its popular search and visualization offerings, will no longer be offered under the permissive Apache 2.0 license. Instead, they will be dual-licensed under the MongoDB-created [Server Side Public License](#) (SSPL) and Elastic's proprietary [Elastic License](#).
2. **Why the Change?** According to [Elastic](#), the "license change is aimed at preventing companies from taking our Elasticsearch and Kibana products and providing them directly as a service without collaborating with us" – specifically targeting AWS, whose Amazon Elasticsearch Service leverages Elasticsearch. But the change has consequences for licensees beyond AWS.
3. **What Does the Change Mean for You?** As shown in Elastic's [FAQ](#) the impact depends on your use case, with the change most likely to affect those using source code versions of Elasticsearch or Kibana.
 - a. **Source Code: SSPL or Elastic License.** Companies using source code should carefully review the SSPL¹. As discussed [here](#), the SSPL is based on AGPL and its viral effects could arguably reach a SaaS provider's proprietary code used in combination with the SSPL-licensed code. Elastic also provides source code under the Elastic License, but that license has its own constraints, including on production use and derivative works, and should be reviewed in detail for any SaaS use case.
 - b. **Object Code: Elastic License.** Use of binary distributions of Elasticsearch or Kibana remain subject to the Elastic License, which grants separate rights to object code. But be aware this is a limited proprietary license, with restrictions both on re-distribution and use in "Prohibited SaaS Offerings" where access to Elasticsearch or Kibana features is a "primary reason or substantial motivation" for end users.
4. **How has the Community Responded?** Despite Elastic's explanation that it is "[Doubling down on open](#)", the [Open Source Initiative](#) has stated that Elasticsearch and Kibana can no longer be considered open source. For its part, AWS [announced](#) that it will create forks of Elasticsearch and Kibana based on the existing codebase – which it will offer under Apache 2.0 and use to power the Amazon Elasticsearch Service. Similarly, cloud monitoring company Logz.io has [publicized plans](#) to launch a "true open source distribution", apparently in conjunction with AWS.
5. **Stay Tuned.** We will provide updates as this develops. If you have questions about use of Elasticsearch or Kibana, please reach out to your Smithline team.

¹ Currently SSPL is only an option for the "Free and Open" features listed [here](#), with other source code released under the Elastic License only.