As with any legal issues, "we're not lawyers and you should find one who is well versed in these issues before stepping into legal ground you're not sure of".

gpl-violations.org's FAQs have some pretty good info on what's required. GPL section 3 details source distribution. You must comply with at least one of a, b or c to be "legal". GPL does *not* state the the source has to be freely downloadable.

If you provide the source with the binaries, you don't have to provide the source to anyone else. If you don't, then you have to provide the source to anyone who asks but only for a minimal distribution fee (e.g. burning to disc+shipping).

D-Link's case is their refusal to provide the source at all. It didn't come with the product (3.a), and they wouldn't provide it to people who asked D-Link for it (3.b), and 3.c doesn't apply. If they shipped it on a CD or DVD when they were asked for it, they wouldn't need to stop selling the product. I would *guess* that there was something in the source they couldn't send out for other legal reasons, which is why they had to discontinue it.

Sveasoft was doing 3.a, so they're okay for that. But their terms of service states that you can't redistribute the source, which is a violation of the GPL (section 4-6).

The GPL doesn't prevent you from selling the sourcecode as a whole if you don't provide binaries, but does prevent you from preventing others from redistributing the source. So I could take OpenVZ, make some crazy modifications to it and make it perform 1000x faster (let's say), and sell this source for $1 million, but there's nothing stopping whoever buys the source from putting it on the internet.

DD-WRT (another Linksys firmware mod) has a "special" version with extra features not in the public version that they sell. You can't get the binary or source for the "special" version without being a member. They encourage people not to redistribute the source code so it keeps its value, but they don't do anything to prevent people from doing so. (which is fully legal)