

Trademarks in FOSS

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There is no trademark license, express or implied, in any free software license.

Do we

Do we need to register?

In what
use the
witho

ister?

In what ways can others
use the trademark
without permission?

W
pe

others

n?

What uses need
permission?

How

"qua

For software

For services

For promotional goods

ed

How much is enough
"quality control"?

W
"c

ugh

What about a
"duty to police"?

The so-called "Duty to Police"

Your trademark is "abandoned,"
no trademark significance

**What you
have to stop**

**What you
can stop**

Things you can't stop:
Parody
Commentary
Resale
Referential use

Resources

Home: Model Trademark Guidelines

Contents [\[hide\]](#)

- 1 Welcome!
- 2 The Guidelines
 - 2.1 Model Trademark Guidelines
 - 2.2 Working drafts
 - 2.3 Project trademark policies
 - 2.4 Sites Using the Model Trademark Guidelines
 - 2.5 Case law
- 3 How the Project Works
 - 3.1 Site Organization
 - 3.2 How to Participate

- Main page
- Current working draft
- Commentary pages
- Recent changes
- Random page
- Help
- Contributors

Tools

- What links here
- Related changes
- Upload file
- Special pages
- Printable version
- Permanent link
- Page information
- Duplicate this page

Welcome! [\[edit\]](#)

Welcome to the Model Trademark Guidelines, written by and for free and open source software communities. This site proposes language one might use for trademark guidelines for FLOSS software projects. It describes various provisions that might be included in trademark guidelines and discusses the legal considerations for the provisions. It is not intended to advocate for any particular set of permissions or restrictions, but rather is designed to provide a range of choices that would be found lawful and enforceable under trademark law, that are consistent with FLOSS culture, and that respect the trademark owner's desire to ensure that the software distributed under the trademark delivers a consistent user experience and meets the brand promise of the name. If you're not yet familiar with the project, please read [How the Project Works](#) below.

The Guidelines [\[edit\]](#)

Model Trademark Guidelines [\[edit\]](#)

This is where you find the current version of the [Model Trademark Guidelines, Version 1.0](#).

FOSSmarks

A practical guide to understanding trademarks in the context of Free and Open Source Software projects.

Trademarks and Free Software

Trademarks and FOSS are not contradictory; instead, the trademark is a legal tool that is strongly aligned with FOSS principles. A trademark is an assurance that the recipient of the goods or services is receiving a product of known qualities. Controlling how the trademark is used protects the community and its software, by preventing its use in ways that are harmful to the reputation of the community or the software. This is not a theoretical problem, it happens [fairly often](#).

It may also be the case that the confusion isn't intentional wrongdoing, but a matter of differing views causing a fork. In that case, if both were to use the same trademark for the two projects, users wouldn't be able to sort out which was which.

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Questions?