There is no trademark license, express or implied, in any free software license.
Do we need to register?
In what ways can others use the trademark without permission?
What uses need permission?
For software
For services
For promotional goods
How much is enough "quality control"?
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
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.
Questions?