

The Freecycle Network, Inc. v. Tim Oey
U.S. District Court
District of Arizona

Index of Exhibits to Complaint

- Exhibit A E-mail dated 9/17/04 from Tim Oey re Intellectual Property
- Exhibit B E-mail dated 1/5/05 from Tim Oey re How to Protect the Freecycle
Trademark
- Exhibit C E-mail dated 5/5/05 from Tim Oey to Pauline M. Gabriel
- Exhibit D E-mail dated 9/16/05 to Tim Oey requesting resignation
- Exhibit E Yahoo Groups messages
- Exhibit F E-mail dated 9/20/05 from Tim Oey re Goodbye
- Exhibit G Yahoo Groups message

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Exhibit A

4. Must follow the terms in its End User License Agreement (EULA).

Just for reference, I'm not a lawyer but I am in the software industry and I work very closely with many lawyers regarding how software may and may not be used.

Cheers,
Tim

*******From:** Tim Oey <timoe@...> Reduce_Reuse...
Date: Fri Sep 17, 2004 12:55 am Offline
Subject: Freecycle -- intellectual property protection is important... Send Email
Since the Freecycle network is growing up, here are some recommendations for discussion and hopefully adoption (and general education).

Please note that I'm not a lawyer but I've been involved with intellectual property issues for about 20 years (copyrights, trademarks, patents, etc). For "official" advice, please consult the appropriate type of attorney.

1) Everyone in the Freecycle network needs to protect the "Freecycle" trademark. Not only must trademarks be actively defended (as Deron is doing), they must also be used properly. Trademarks are adjectives, and must only be used as such (i.e., Freecycle moderators, Freecycle network, etc). Marks should never be used as nouns or verbs, nor should marks be pluralized or used in the possessive form. This is especially important in official Freecycle communications -- web sites, autosent emails, etc. Unfortunately this does crimp the use of "Keep on Freecycling" -- catchy, but risky.

2) What is the official full name of the Freecycle non-profit? Is it "The Freecycle Network"? or "Freecycle, Inc." or what?

3) As people create material for Freecycle, it would be useful to come up with some sort of concise copyright policy for everyone to use that references the

official full Freecycle name. For material of significant length, here is what I recommend:

a) Either the standard:
Copyright <year> The Freecycle Network, All Rights Reserved
or

b)
Copyright <year> The Freecycle Network, All Rights Reserved

Official Freecycle sites may re-use, edit, extract, redistribute, and update this article as long as this copyright statement is retained.

If you redistribute, you may optionally give credit to whoever has contributed to it thus far.
Credits: <names of contributors>

The nice thing about (b) is that it is pretty clear that stuff can be updated by others in the Freecycle network -- this constitutes a simple mini-license that sticks to Freecycle copyrighted material and also gives contributors a way to be recognized.

Cheers,
Tim

From: Tim Oey <timoey@...>
Date: Fri Sep 17, 2004 4:05 am Reduce_Reuse...
Subject: Re: [freecyclemodsquad] RE; HOW DO I ADDRESS THIS? Offline
(ADMIN: WEAPONS) Send Email

Umm, I hope we'll trust our moderators to achieve a rational balance (vs the type of screening you get at the airport these days). For instance the following items I'm ok with (and have seen) on a Freecycle list but would not give to a 4 year old (or leave a 4 year old around without supervision):

Matches
Lighters (for barbecues)
Barbecue grill
Sewing machine