

EXHIBIT 2

----- Original Message -----

From: Tim Oey
To: PenguinPatrol@yahooogroups.com
Sent: Wednesday, March 16, 2005 1:33 AM
Subject: [PenguinPatrol] My recommendations on Trademark policy

Hi all,

Below and posted in the Penguin files is my recommendation on what the plain text version of the Freecycle Trademark and Copyright policy should say so that it can sent cleanly by email.

Corrections:

- removed the html attribution, it just won't work cleanly, substituted a pointer to some html others can use
- removed the extra note about updating documents that also said moderators could not create documents
- changed "ascii version" to "symbol"
- did a few other minor typo corrections

Note that we cannot make this policy cover absolutely everything. But it must be clearly readable and understandable by everyone.

Cheers,
Tim

Freecycle(TM) Trademark and Copyright Policy

[Updated on 2005-03-15 b]

How to Use the Freecycle Trademark

We are doing a really good thing here. And, we are also learning as we go, which means there will always

be evolution and change. Because the Freecycle concept is unique and amazingly successful, there are many who have and who would try to use it for personal gain and profit. For that reason, The Freecycle Network is incorporated as a non-profit organization, and the Freecycle name and logo are trademark protected. We need to do our best to properly use the Freecycle trademark so that we don't lose the right to it.

In legalese, the use of the term "Freecycle" denotes a gifting service which is officially approved by the nonprofit organization "The Freecycle Network," and one that the public can expect to adhere to certain standards. The Freecycle Network must approve any email list or web site that uses the term "Freecycle" in its name and provides any sort of exchange service.

When using the term "Freecycle" please do the following:

1) While "The Freecycle Network" is a trade name, it also functions as a service mark -- i.e., a source indicator -- so it is ok to use a TM with it.

For example: The Freecycle Network(TM)

When used as a trade name (think proper name), the term "Freecycle" may be used in place of "The Freecycle Network" to allow sentences to be more concise.

For example: While The Freecycle Network has been growing by leaps and bounds, Freecycle also remains true to its core mission.

2) In all other cases, the term "Freecycle" must be used as an adjective, never as a noun or verb.

For example:

- Do not say "I'm a freecycler." Do say "I'm a Freecycle member."
- Do not say "Keep on freecyclin!" Do say "Keep on recyclin', my Freecycle friends!"
- Do not say "Freecycling group." Do say "Freecycle group"
- Do not say "Please Freecycle." Do say "Please join a Freecycle group."
- Do not say "There are 10 freecycles in this state." Do say "There are 10 Freecycle groups in this state."
- Do not say "freecycle's membership." Do say "The Freecycle Network's membership."

(Note: new groups may use the word Freecycle in their group name/title, but should not be approved with any variations of the word Freecycle in their name, title or description, like freecycler, freecycling, freecycles.)

3) Attribution Statement. (fancy-speak for a statement attributing ownership of a trademark to someone at the bottom of e-mails, etc.)

At the bottom or within the body of all official Freecycle web sites, articles, documents, press releases, automatic notices, and group home pages the following trademark attribution should appear:

Copyright (c) 2003-2005 The Freecycle Network
(<http://www.freecycle.org>). All rights reserved.

Freecycle and the Freecycle logo are trademarks of The Freecycle Network in the United States and/or other countries.

For an HTML version to include in your group's description, please see:
<http://groups.yahoo.com/group/freecyclesunnyvale/files/Special/>

In group email list footers use the following (in this case include the lines to set it apart):

Freecycle and the Freecycle logo are trademarks of The Freecycle Network in the United States and/or other countries.

To create a footer in your Yahoo group:

- a. Log into Yahoo and go to the group page
- b. Click on Management on the left
- c. Click on Messages on the right
- d. Next to Subject Tag and Footer, click Edit
- e. Enter the text above in the Footer box
- f. Click the Save Changes button

4) The term "Freecycle" in text must always be capitalized to set it off from the surrounding text.
Example: Freecycle groups are great!

5) If you want to use the official Freecycle logo, it must include a TM symbol and appear exactly as it does on <http://www.freecycle.org>.

It is OK to put adornments around it and behind it. Never put anything over any portion of the logo or otherwise obscure or change the basic form of the logo or the TM symbol. The graphic logo's use of lowercase "freecycle" is ok as its design sets it apart.
(Note: new groups must use the official logo, though they are welcomed to adorn it within these parameters.)

6) E-Mail addresses with the word "Freecycle" in them. One should consider using something explanatory in

addition to the word "Freecycle" in their e-mail address or ID for clarity's sake. Example:
FreecycleSpringfield@hotmail.com.

7) On your local Yahoo group sites, articles, press releases & automatic notices: The first "prominent display" or introduction of the mark (i.e., the first time you use the term Freecycle in a document) needs to be distinguished from other text with a TM (to be replaced with an (R) eventually, once the trademark is registered). This is in addition to the above attribution statement (the footer-note statement in point 3). So, a Freecycle group site should have a TM by the logo at the top and a TM by the first use of The Freecycle Network (or of the word Freecycle, whichever comes first. The other instances of Freecycle can be without a TM marking, though it is still important to capitalize or color them to show they are not just common words.

A great example of how to set up a group correctly can be found at:

<http://groups.yahoo.com/group/freecyclesunnyvale/>

- A. In HTML, use the HTML code "Freecycle™" (without the quotes).
- B. For plain ASCII text documents, in email, and in files in a Yahoo group, use "Freecycle(TM)" (without the quotes).
- C. Other documents, use any method available to create the TM superscript
- D. There's no need to use the TM mark more than once per document.
- E. Do not use the TM mark in email addresses, email subject tag lines (such as [freecyclemytown]), group names, or URLs.
- F. Do be sure to include the footer in item 3 above, whenever possible.

TIP: If you are sending an email and wish to add the TM, it makes sense to use the (TM) version rather than the superscript TM symbol (even if you know how to generate the symbol) because many email programs will not display it right to the recipient.

8) OPTIONAL: For further information about trademarks and how to use them properly, see:

<http://www.inta.org/info/faqs.html>
<http://www.uspto.gov/main/trademarks.htm>

9) A current copy of this trademark use document may be obtained at:

<http://freecycle.org/tmfaq.php>

Question and Answers:

What happened to the Freecycle service mark (SM)?
 Freecycle formerly used the SM (Service Mark) designation, but for better worldwide uniformity and recognition, we are now using TM instead of SM.

Is it ok for individual email addresses or URLs to include the term "freecycle"?
 Yes, but please make sure the word is accompanied by something explanatory, like FreecycleMytownMod.

Do personal emails about Freecycle need to use the TM mark or trademark attribution?
 No. Having the trademark attribution in email list footers is enough.

Where are the most common places that "Freecycle" use should be checked?

- Group description/home page
 (Management / Description and Appearance / Description - Edit)
- Group email footer text (Management / Messages / Subject Tag and Footer - Edit)
- Group welcome message (Management / Membership / Welcome Message - Edit)
- All automatically sent notices -- especially the Freecycle Etiquette document
- Press releases or other stand-alone documents
- Flyers

What changes should I make to my group's Freecycle Etiquette document?
 Make sure all instances of Freecycle are used as an adjective or trade name. Look at the Freecycle etiquette text at <http://freecycle.org/faq.php> for good examples.

Are modified local logo graphics with our TM still ok?
 Adding graphics around the official logo is fine and fun. We do need to leave the logo itself unaltered (so you're OK as long as the logo and TM are not covered or obscured in any way).

What happens when the Freecycle mark becomes registered?
 When this happens, all occurrences of Freecycle(TM) must change to Freecycle(R), and HTML code "Freecycle™" to "Freecycle®".

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