

EXHIBIT C

A freecycling update

To: fcnext@yahoogroups.com
From: Tim Oey <timoey@yahoo.com>
Date: Fri, 20 Jan 2006 23:22:47 -0800
Subject: [fcnext] A public statement that you may forward...

Hi all,

Here is a public statement that you may forward to whomever you wish as long as you forward this email in its entirety. It would be great if folks could forward this to the same lists that got Deron's as it would clear up many misconceptions about what is happening.

Knowledge and education are good things.

Regarding FreecycleSunnyvale vs The Freecycle Network (lawsuit and trademark opposition)

We are not wrecking freecycle -- we are working to keep it free and legal -- that is the goal.

It is very important for everyone to stay true to their own principles and to have principles they can stay true to. It drives me nuts when people do not think through the consequences of the choices they make. It is also my belief that the best leaders lead by example, not by slapping folks. Honey works better than vinegar.

Here is my brief take on what has and is happening with The Freecycle Network (TFN):

1. In the beginning, freecycling was open, free, and a true grassroots movement.
2. Then it started going down a corporate path as The Freecycle Network (TFN). To enforce their goodness on people, TFN wanted more control and wanted to take back what it had given away for free (the word freecycle and its logo). Power and money started corrupting the system in subtle and not so subtle ways.
3. Freecyclers objected and were hurt and kicked out by TFN. A good group like TFN can still do bad things.
4. Then the grassroots movement fought back and filed a lawsuit and trademark opposition with pro bono support against TFN via the FreecycleSunnyvale group (a great group which TFN hurt).

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5. While the final outcome of this story remains to be seen, a few important learnings are:
- If you want to lay claim to a trademark, you must use it correctly from the very beginning a pick one that the public is unlikely to use in a generic fashion.
 - Don't give away things that don't belong to you. And don't be hypocritical. At the same time TFN was punishing non-TFN groups with copyright infringement claims for using snippets material that might have had TFN origins, TFN was itself violating copyrights by re-publish hundreds of news media articles in their entirety without permission on its <http://freecycle.org> (this republishing started in 2003 and finally stopped in December 2005).
 - Don't give things away and then expect to pull them back later. This is just wrong.
 - If you are going to run a movement, you have to stay true to your roots -- freecycling is about freely giving your own things away, not owning things or taking things back. If you violate own principles, you'll find the activists who supported you vigorously, will fight back just as vigorously.
- 6) If TFN learns to make lemonade out of lemons, they could:
- Build a huge amount of positive goodwill by acknowledging that giving things away is one the core values of freecycling and thus freecycle is free for everyone to use. This would also save them a ton of money and work now and in the future. FreecycleSunnyvale has repeatedly offered to negotiate but TFN has turned a deaf ear.
 - Reduce much of the work they are currently doing trying to police people into being good a instead be educators and good role models. This would also make it much easier for them to be recognized as a 501(c)3 -- their current business model of running an online free advertisement system supported by advertising plus sponsorship does not cut it.
 - Recognize that while there will inevitably be some misuse of the new word freecycle, it is just a word like recycle. People are not stupid. They quickly understand what freecycling is about and will join groups where it is done well. TFN can easily defend the name "The Freecycle Network" and this can be used as a well recognized trademark.
 - Take advantage of the **huge** marketing opportunity that comes from coining a new word -- they can rightly claim that their work made the word hugely popular.
- So basically, we're doing this so that freecycling will be really free and legal.

Some facts:

- 1) On 1/17/2006, The Freecycle Network's (TFN's) proposed trademark registration was published in the Trademark Official Gazette at:
<http://www.uspto.gov/web/trademarks/tmog/>
- 2) On 1/18/2006, the unincorporated non-profit association FreecycleSunnyvale filed a formal opposition to TFN's trademark registration with the USPTO. You can read it at:
<http://ttabvue.uspto.gov/ttabvue/ttabvue-91168664-OPP-1.pdf>
3. On 1/19/2006, FreecycleSunnyvale also filed a lawsuit against The Freecycle Network in federal court (US District Court, Northern California). We will point you to a copy of this filing as soon as we can.
4. Mayer, Brown, Rowe & Maw LLP (one of the 10 largest law firms in the world) are the attorneys for FreecycleSunnyvale and are providing their services pro bono. None of the

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members of FreecycleSunnyvale (which includes Tim Oey) are spending any of their own money for the opposition or the lawsuit. You can read more about the law firm at:
<http://www.mayerbrownrowe.com/overview/index.asp>
and
<http://www.ipcounsel.com/>

5. Anyone else who wishes may now file an opposition to TFN's proposed trademark registration (please note that there is a fee to file such an opposition). If you or your group has been harmed by TFN, you may also file a lawsuit of your own against TFN.
6. Since a lawsuit and an opposition are now underway, the members of FreecycleSunnyvale may be restricted in what they say.
7. If TFN chooses to negotiate, these cases could be settled in a few months. If not, they may take many months.

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Sincerely,
Tim Oey on behalf of FreecycleSunnyvale

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