

The Freecycle Network, Inc. v. Tim Oey
U.S. District Court
District of Arizona
06-CV-173-TUC-RCC
Exhibit F to Beal Declaration

How to Use the Freecycle™ Trademark Properly

[Updated on 04-03-06]

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 nonprofit organization, and the Freecycle name and logo are both 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. (A relevant point for us to note internally is that we have to demonstrate a "concerted" effort.)

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 okay 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 freecycling!" Do say "Keep on recycling, 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) The term "Freecycle" in text must always be capitalized to set it off from the surrounding text. Example: Freecycle groups are great!

4) Local groups need 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 okay to put adornments around it and behind it. Never put anything over any portion of the logo or otherwise obscure the basic form of the logo or the TM symbol.

5) 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>

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