

EXHIBIT 33

Gmail - Re: [freecyclemodsquad] New group in same area...

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Irene Johnson <majortennisbum@gmail.com>

Re: [freecyclemodsquad] New group in same area...

6 messages

Tina Pence <tmp1356@yahoo.com>

Thu, Sep 29, 2005 at 9:27 AM

To: freecyclemodsquad@yahooogroups.com

I applied to start the Johnson County, Indiana Freecycle group in January 2005 and patiently waited until April 2005 to get it approved. It was approved and we have experienced great growth (777 members this morning)! My question is this. One of our members has decided that our county is too large to just be one group, so she set up a Yahoo Group for Franklin, Indiana. Franklin is a city smack in the center of our county. I'm really not too bothered by another group, but she advertised it on my group, and it has prompted several other members to ask "what happened" and/or feel like something negative has occurred. I emailed her and asked her why she thought it was necessary and if something happened to her that she wanted to separate from our group. She emailed me back that no - nothing happened, she just thought that our area was too large and that with gas prices, etc. many of the offers were too far away to reasonably pick up. I also asked her if she went through the [Freecycle.org](http://freecycle.org) website to start her group and she said that she didn't know that she was supposed to do that. Which means that she does not have any of the files, etc. copied down for her group. I also told her that I felt there would be members that belonged to both groups and there would just be a lot of cross-posting.

After this, I did start a Poll which will end on Oct. 8th to find out by zip code (all Johnson County zips are listed) or by county, I listed all surrounding counties to see where the majority of the members live.

So, after all that, here is my question: Do I need to do anything about this or just assume that because of lack of support it will just fizzle out? Should I address it with my group? What should I say?

Thank for any advise you all can offer.

Tina
Johnson County, Indiana Freecycle

Free Embroidery Designs for 'Tweens and Teens
<http://silverfangdesigns.home.insightbb.com>

Join the Johnson County, Indiana Freecycle group at:
<http://groups.yahoo.com/group/JohnsonCountyInd/>

Yahoo! Mail - PC Magazine Editors' Choice 2005
<http://mail.yahoo.com>

Please remember to trim your posts when responding to messages posted on the site. Thank You.

Report news articles: news@freecycle.org
Submit to the PC mods newsletter: db@freecycle.org

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Contact your GOA: http://freecycle.org/faq_mod.php

Modsquad Moderators
Beverly/bevcan23, Deb/debsawyers, or Irene/teddybearsmother
We can be reached at freecyclemodsquad-owner@yahoogroups.com

Moderators desiring to increase their involvement with TFN beyond the local level are encouraged to write to volunteers@freecycle.org to offer their services. Please give us an idea of your skills and how you'd like to help.

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The Freecycle Network in the United States and/or
other countries.

YAHOO! GROUPS LINKS

- Visit your group "[freecyclemodsquad](#)" on the web.
- To unsubscribe from this group, send an email to:
freecyclemodsquad-unsubscribe@yahoogroups.com
- Your use of Yahoo! Groups is subject to the [Yahoo! Terms of Service](#).

Debra Sawyers <debsawyers@yahoo.com>
To: freecyclemodsquad@yahoogroups.com

Thu, Sep 29, 2005 at 9:32 AM

I would contact the state GOA (indiana @ freecycle.org) and ask them to check and see if this group has applied for approval.

If they're using the Freecycle logo and name, they must have approval. The new Start-A-Group process requires potential mods to ask permission BEFORE setting up a group (a long overdue change). Your member probably doesn't realize that she needs that approval before setting up a group. I'd strongly suggest contacting the GOA and letting them handle it from there.

Deb
Freecycle Modsquad Mod.

[Quoted text hidden]

Yahoo! For Good
Donate to the Hurricane Katrina relief effort.
<http://store.yahoo.com/redcross-donate3/>

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Kat <katfreecycleny@gmail.com>

Thu, Sep 29, 2005 at 10:59 AM

To: freecyclemodsquad@yahoo.com

I agree with what Deb said about contacting your GOA, that's the best way to handle it. Be warned though that the GOA's (in my experience) are often very busy and it may take some time to get back to you.

In addition, if the group ultimately is considered a "rogue" group...meaning it's using the FC name and/or logo and has not or is not going to be approved the The Freecycle Network to do so, be aware that the group may still exist for quite some time. The process for trying to remove a group seems to be very slow if not impossible. I have a Rogue group in my area using the Freecycle name and it continues to chug along. Freecycle can not MAKE them remove it, they can report the group to yahoo for TM infringement, but apparently yahoo doesn't move very quickly (if at all) about doing anything about it. So in my case, the Rogue group continues to increase in membership and benefiting from the FC name.

Typically if a person wants to start a New Group and it is close to or within the same area as a group already established and they have gone through the RIGHT procedures of doing so (like applying), the New Group Approver for your state will contact you (and any other close groups) to get your opinions on if this group is needed or not. (They don't always listen, but it gives you an opportunity to have your voice heard.)

My members had quite a few questions themselves when this happened. I ultimately posted a lovely admin that stated:

"Rochester Freecycle is aware that there are many other recycle and reuse groups in our area. Our members are of course free to belong to and participate in as many of these types of groups as they wish. However, we would like you to know that if a group is using the "Freecycle" name and logo, that group *must* be approved the The Freecycle(TM) Network in order to be an official group.

How do you know if a group using the Freecycle name is an "official" Freecycle group? Go to www.freecycle.org and look for your area and then state. Then look for the group you are curious about. If it is listed, it's an official Freecycle Group! If it's not, chances are it is NOT a Freecycle Group and is using the Freecycle Name and Logo without authorization, which is a Trademark Infringement. You can also email info@freecycle.org or email us here and we can help you determine if a group is an officially recognized Freecycle Group.

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Rochester Freecycle respects other Groups and Lists that have the same type of goals as we do. The more recycling the better! If you are a member of a recycle/reuse group other than ours and it does NOT contain the word "Freecycle" in it, that's great! However, we do NOT respect any group or individual using The Freecycle Name and Logo without authorization and we must do what we can to protect our trademarked status."

Blah blah, I think I had a few other words in there and statements but something like that as the gist of what I sent out. That way I did not NAME the rogue group (or any others that may be lurking) I just provided our members with a way to determine for themselves if a group wish a "real" Freecycle group or not. Unfortunately most members see the Freecycle name and have no idea if it's "official" or not, they just assume it is.

Hope that helps!

Kat
Rochester NY

--- In freecyclemodsquad@yahoo.com, Tina Pence <tmp135@y...>

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SPONSORED LINKS

Environment issue

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- Visit your group "freecyclemodsquad" on the web.
- To unsubscribe from this group, send an email to: freecyclemodsquad-unsubscribe@yahoo.com
- Your use of Yahoo! Groups is subject to the [Yahoo! Terms of Service](#).

Debbie A. <dma8888@sbcglobal.net>

Thu, Sep 29, 2005 at 11:08 AM

To: Debra Sawyers <debsawyers@yahoo.com>, freecyclemodsquad@yahoo.com

It's my understanding that Indiana doesn't have a GOA right now. I have an issue that I would like to have looked at, and I was told to just wait a while.

Debbie
Lowell, St. John, and Hammond Indiana Freecycle

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-

Kat <katfreecycleny@gmail.com>
 To: freecyclemodsquad@yahoogroups.com

Thu, Sep 29, 2005 at 12:54 PM

Well that's a fine thing. Sheesh.

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--- In freecyclemodsquad@yahoogroups.com, "Debbie A." <cdma6886@e...>
wrote:
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> Lowell, St. John, and Hammond Indiana Freecycle
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> Deb
> Freecycle Modsquad Mod.
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the local level are encouraged to write to volunteers@f... to offer
[Quoted text hidden]
[Quoted text hidden]

Nola <nola@simplyweb.net>
To: freecyclemodsquad@yahoogroups.com

Thu, Sep 29, 2005 at 1:33 PM

No one ever contacted us when a new group wanted to open (and was approved) basically in the same small city. If they had we might have been able to help. As it is now this newish group posts messages about member's health and solicits for babysitters, etc.

Nola, OceansideFreecycle

05:59 PM 9/29/2005 +0000. Kat said something like:
>Typically if a person wants to start a New Group and it is close to or
>within the same area as a group already established and they have
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<http://mail.google.com/mail/?ik=555d9fcaa6&view=pt&th=106a3a34a6dcb072&se>

FN 077413