

Adopted January 12, 2021

OpenJS Foundation Trademark Policy

This is a statement of the [OpenJS Foundation](#)'s trademarks and its policy and guidelines relating to use of trademarks owned by the OpenJS Foundation and used by projects under the OpenJS Foundation.

Individual projects under the OpenJS Foundation may have additional guidelines and requirements for the use of trademarks intended to imply compliance with certain criteria or other requirements, and in such cases compliance with such criteria and requirements is necessary.

For purposes of this document, references to trademarks or marks include all trade and service marks and logos owned by the OpenJS Foundation legal entity. Projects operating as separately incorporated entities managed by the OpenJS Foundation have their own trademarks, policies and usage guidelines.

The OpenJS Foundation's Trademarks

A list of OpenJS Foundation's registered trademarks, pending registrations and trademarks in use can be found at <https://trademark-list.openjsf.org>. The current version of this trademark policy can be found at <https://trademark-policy.openjsf.org>.

The OpenJS Foundation Trademark Usage Guidelines

Trademarks are used to provide assurance to the community of consistency with respect to the quality of products or services with which the mark is associated. This policy attempts to strike the proper balance between two competing interests: 1) the need of the OpenJS Foundation to ensure that its trademarks remain reliable indicators of the qualities that they have been created to preserve and 2) the need of the OpenJS Foundation to ensure that community members are able to discuss the projects with which the OpenJS Foundation is associated and to accurately describe the relationship between the OpenJS Foundation and the products and services offered by others.

Your right to use a mark of the OpenJS Foundation is provided for in this policy and in the statement of permitted use, if any, that may accompany the trademark notice displayed on the website dedicated to the project. A copyright license, even an open source copyright license, does not include an implied right or license to use a trademark that may be related to the project developing the licensed software or other materials. Because open source licenses permit unrestricted modification of the copyrighted software, and the OpenJS Foundation has no intention of interfering with that right, your right to use any specific trademark of the OpenJS Foundation is not determined by your use of software made available under an open source license. Your right to use a mark is conditioned upon conforming to other requirements that are directly related to the qualities that the specific mark has been created to preserve.

Proper use of the OpenJS Foundation trademarks by following these trademark usage guidelines protects the value of the OpenJS Foundation trademarks. Any use of or reference to the OpenJS Foundation trademarks that is inconsistent with this trademark policy, or use of marks that are confusingly similar to trademarks of the OpenJS Foundation, is prohibited. All uses of the OpenJS Foundation trademarks, and all goodwill associated therewith, will inure solely to the benefit of the OpenJS Foundation.

Rules that Apply to OpenJS Trademarks

There are some basic rules that apply to any use of any trade or service mark of the OpenJS Foundation, without the express permission of the OpenJS Foundation.

- A trademark must never be used as a verb or noun. A trademark must be used only as an adjective followed by the generic name/noun.
- A trademark must not be used in the plural or possessive form.
- A trademark must not be altered or amended in any way. A mark must not be combined with any other mark, hyphenated, abbreviated or displayed in parts. A trademark that is depicted as two or more words must not be compressed into one word. A logo must not be displayed with color variations, or with other elements superimposed on top of the logo.
- A trademark must not be used as your domain name or as part of your domain name.
- A trademark must not be used as part of your product name.
- A trademark must not be incorporated into your company's logos or designs.
- A trademark notice must be used on the most prominent and/or first appearance of each mark of the OpenJS Foundation, and a trademark notice should not be changed. In particular, a TM should not be changed to an ® in a trademark notice by anyone other than the owner. If you are unsure about whether a mark of the OpenJS Foundation is registered in your country, please contact us for additional guidance as to what trademark symbol you should use.

There are also some basic rights that everyone has to use any trademark, which are often referred to as “fair use,” and the OpenJS Foundation does not intend to restrict those rights. You may make fair use of word marks to make true factual statements. But fair use does not permit you to state or imply that the owner of a mark produces, endorses, or supports your company, products, or services. Even when making fair use of a trademark, you must acknowledge the owner of the trademark with a trademark notice, such as the notice displayed on the OpenJS Foundation project websites.

Rules and Policies Applicable to Marks Owned by the OpenJS Foundation

In addition to the generally applicable rules discussed above, there are a few specific rules that we require everyone to follow when using trademarks owned by the OpenJS Foundation.

- Use the full form of any trademarks (e.g., “OpenJS Foundation”) in the first reference in all documents of mass communication, including marketing collateral and web pages. You may then use any abbreviated or short form references (e.g. “OpenJSF”) within the same document where the full form has already been used.
- Use the OpenJS Foundation’s trademarks in a form that distinguishes them from the text around them, such as by capitalization, bold or italic fonts, or with quotation marks. Any use of




registered trademarks listed above should include the ® symbol immediately after the first usage (e.g., “jQuery® is a JavaScript library designed to”). Any use of unregistered trademarks listed above should include a ™ immediately after the first usage (e.g., “Chassis™ creates open standards designed for CSS libraries”)

- Do not use the OpenJS Foundation trademarks in a manner that would disparage the OpenJS Foundation or its projects (e.g., untruthful advertising, false/misleading promotional materials, etc.).
- Do not use OpenJS Foundation logos on the cover of a book or magazine without written permission from the OpenJS Foundation.
- Do not use the OpenJS Foundation trademarks more prominently than your own company, product or service name.
- Do not use a logo of the OpenJS Foundation on posters, brochures, signs, websites, crowdfunding sites, or other marketing materials to promote your events, products or services without written permission from the OpenJS Foundation.
- Do not refer to a product or service as being certified under any of the OpenJS Foundation’s marks unless your company has successfully undergone the requisite compliance testing and has explicit authorization to use such terms from the OpenJS Foundation.
- Do not attempt to claim or assert any ownership rights in any mark of the OpenJS Foundation and do not attempt to register any OpenJS Foundation trademark as a trademark, trade name, domain name, or “doing business as” name, alone or (unless specifically licensed) in combination with your own trademarks.

The OpenJS Foundation marks have been created and their use is expressly permitted for a specific purpose. Do not use logos or names of the OpenJS Foundation in any commercial or marketing context other than as expressly permitted in this policy unless you have obtained explicit written permission from the OpenJS Foundation to do so. The OpenJS Foundation permits the use of its trademarks for private and personal use to make t-shirts, stickers, and caps for yourself and your friends (meaning people from whom you don’t receive anything of value in return) in a manner that is consistent with the preservation of the goodwill and value of the mark.

You are also allowed to use a trademark or logo of the OpenJS Foundation as a link to the home page of the applicable project or to a web page on the OpenJS Foundation web site that is relevant to the reference so long as the link is in a manner that is consistent with the preservation of the goodwill and value of the mark. The link and all other usage of a logo of the OpenJS Foundation shall be done using the official versions of the OpenJS Foundation logos obtained from the OpenJS Foundation or its projects.

Here are examples of correct and incorrect uses of a logo of the OpenJS Foundation (noting that any actual use must also comply with the other requirements described herein):

Correct	
Incorrect (must not change colors)	
Incorrect (must not change design elements)	
Incorrect (must not change aspect)	

Certain marks of the OpenJS Foundation have been created to enable you to communicate compatibility or interoperability of software or products. In addition to the requirement that any use of a mark to make an assertion of compatibility must, of course, be accurate, the use of these marks must avoid confusion regarding the OpenJS Foundation’s association with the product. The use of the mark cannot be used to imply that the OpenJS Foundation or its projects are sponsoring or endorsing the product. The following are examples of proper and improper usage of these trademarks of the OpenJS Foundation:

- Correct: <your product name> for <the OpenJS Foundation mark>
- Correct: <your product/company name> plug-in for <the OpenJS Foundation mark>
- Correct: <your product name> compatible with <the OpenJS Foundation mark>
- Correct: <your product name> for use with <the OpenJS Foundation mark>
- Correct: Quick Start for <the OpenJS Foundation mark> by <your company name>
- Incorrect: <the OpenJS Foundation mark> <your product name>

- Incorrect: <the OpenJS Foundation mark> by <your company name>
- Incorrect: <the OpenJS Foundation mark> - <your product name>
- Incorrect: <your product/company name> - <the OpenJS Foundation mark>
- Incorrect: <the OpenJS Foundation mark> Quick Start by <your company name>

OpenJS Foundation Trademarks and Crowdfunding

The OpenJS Foundation recognizes that some projects may wish to use a project trademark when raising funds through crowdfunding platforms. These activities are not official OpenJS Foundation efforts, even if they are coordinated by core participants from our projects. Because crowdfunding is an individual activity organized outside of the OpenJS Foundation, you must ask permission to use an OpenJS Foundation trademark on a crowdfunding page.

In exchange for using the mark, the OpenJS Foundation requires the administrator of the crowdfunding effort to adhere to these three policies:

- 1) You must have a policy that contributors and recipients disclose their legal or known names and company affiliations to the administrator of the funds.
- 2) Projects must be clear about how they decide to distribute funds to individual contributors.
- 3) You must include the following disclaimer on the crowdfunding page, replacing [Project Name] with the name of the project whose logo you plan to use:

This crowdfunding page is run by and for the benefit of the independent contributors to the [Project Name] open source software project. This crowdfunding page is not endorsed or administered by OpenJS Foundation, Inc. (the “OpenJS Foundation”), the OpenJS Foundation does not receive and has no control over any funds contributed, the OpenJS Foundation does not direct or otherwise supervise the actions of any contributor to the [Project Name] project, and all donations made will be expended for the private benefit of or otherwise to reimburse individuals that do not have an employer/employee, contractor, or other agency relationship with the OpenJS Foundation. The [Project Name] marks used herein are used under license from the OpenJS Foundation for the benefit of the open source software community.

To request permission to use a mark, please contact info@openjsf.org.

Finally, if you are raising money through crowdfunding, be aware that you are not acting on behalf of the OpenJS Foundation. It is your responsibility to know and follow all applicable laws.

Questions, Comments, Concerns

We look to our community to help us retain the value of the OpenJS Foundation’s trade and service marks. If you have questions with respect to these guidelines or to report concerns regarding the use or

misuse of a trademark of the OpenJS Foundation, or to obtain written permission for a proposed use of the OpenJS Foundation trademarks, contact info@openjsf.org.

Disclaimer

The OpenJS Foundation does not make any express or implied warranties, including but not limited to the warranties of non-infringement of any third party intellectual property rights. The OpenJS Foundation does not warrant that any pending trademark applications for trademarks of the OpenJS Foundation will result in any granted trademark protection. The OpenJS Foundation shall not be liable for any claims relating to user's activities falling within the scope of the permission and user hereby agrees to indemnify, defend and hold the OpenJS Foundation and its contributors harmless against any such claims.

Updates

The OpenJS Foundation may release new versions of the OpenJS Foundation trademark policy or statements of permitted use of the OpenJS Foundation marks from time to time without notice.

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