

# **Considerations for Trademarks, Nomenclature and FLOSS Communities**

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OSCOMM, 6<sup>th</sup> June 2009  
Skövde, Sweden**

"Trademarking is almost totally incompatible with the essential freedom offered by open source."

Keir Thomas

"Trademarks: The Hidden Menace"

PC World, May 2009

"This well is poisoned...any pretense that the projects will ever govern themselves (as opposed to being governed by whatever pointy-haired boss is hiding behind the scenes) is now a joke. "

Roy Fielding  
OpenSolaris Governance Discussion  
February 2008

Copyrightleft

Patents

Trademarks

Used

Disliked

Obscure

"...there is a strong belief within most FOSS communities that projects should thrive on their merits, and not use legal weapons to silence critics and competitors."

Software Freedom Law Centre  
A Legal Issues Primer for Open  
Source and Free Software Projects

# Does your name refer to...?

Codebase

Binary product

Community

Right to provide service

# Recommended Reading

Software Freedom Law Centre

*A Legal Issues Primer for Open Source and Free Software Projects*

<http://www.softwarefreedom.org/resources/2008/foss-primer.html>

Tiki Dare & Harvey Anderson

*Passport Without A Visa: Open Source Software Licensing and Trademarks*

<http://lockshot.files.wordpress.com/2009/04/passport-without-visa.pdf>