

Wikimedia Trademark Policy



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Why community consultation?

- Legitimacy
- “Given enough eyeballs, all bugs are shallow.”

Eric Raymond



Wikimedia Trademark Policy

Updated: Oct. 10, 2009

Introduction

This revision of the Wikimedia Foundation's general policy regarding the protection and licensing of its trademarks has been developed pursuant to the Wikimedia Foundation Board of Trustees' "Trademark statement" resolution, passed unanimously during its April 2009 meeting. That resolution can be found [here](#).

This revision takes as its source and inspiration the Mozilla Foundation's trademark policy, whose key documents may be referenced at "[Mozilla Licensing Policies](#)" [\[PDF\]](#).

Overview

This document outlines the policy of the Wikimedia Foundation ("the Foundation," for short) regarding the use of the Wikimedia Marks. Any use of any Wikimedia Mark must be in accordance with this policy. As used in this policy, "trademarks" or "Wikimedia Marks" means not just Wikimedia's logos, but also the names of its various projects, including but not limited to the names "Wikimedia" and "Wikipedia." (The text form of Wikimedia trademarks may also be called "word marks.")

The Wikimedia Foundation's trademark policy attempts to balance two competing interests. The first interest is the Foundation's need to ensure that the Wikimedia Marks content (as Richard Stallman has said, "Think free as in free speech, not free beer") and source origin. The second interest is the Wikimedia Foundation's desire to protect others with whom the Foundation works to discuss Foundation projects and to accurately describe or communicate their association with us. Striking a proper balance between these two interests is a challenge that all organizations — in particular those whose products are distributed electronically — wrestle with every day, and we've attempted to balance it here.

Underlying our trademark policy is the general idea of trademarks. Trademarks exist to help individuals and organizations to identify — and organizations to publicize — their products. If products are free content and free knowledge, and if organizations make better products or offer better services than others; over time, individuals begin to associate those products or services with quality, with value, or with a particular philosophy. When such organizations permit others to place such organization's trademarks on goods of different quality, or on goods that are not their own, they find that individual trust in the meaning of the trademarks evaporates quickly. That's the precise situation that the Foundation seeks to avoid. People's trust in our name and our products when it comes to intangible products and services like free content and free knowledge, trust is all consumers have to decide in which product to choose. And we ask you to trust our community members have to find in us.

Frequently, we receive reports from members of our community advertising Wikimedia-branded content, using the Wikimedia Marks to promote other products and services, or to mislead users. The problem with these activities is that they may be deceptive, harm users, cause confusion, and/or jeopardize the identity and meaning of the Wikimedia Marks. We do not intend to restrict our members, or our community members, from using the Wikimedia Marks to promote their own products or services, or to promote their own intentions, but improper use of the trademarks (e.g., overenthusiastic fans or community members), to people intentionally trading on the brand for their own benefit, or to people who use the Wikimedia Marks to promote their own product, to a clear intent to deceive, manipulate and steal from users in a highly organized and syndicated fashion. When we receive reports of such activities, typically from our community members, or when we ourselves identify problematic activities, we at the Foundation analyze the reports and may treat each case differently based on the intent and severity of the mark use.

In creating our trademark policy, we seek to clarify which uses of the Wikimedia Marks we consider legitimate and which uses we do not. Although the Wikimedia Marks rules, including some that may be contained in companion documents, most reflect the overarching requirement that your use of Wikimedia trademarks be non-confusing. We mean that people should always know with whom they are dealing, and the origin of the content they are using or adapting. Websites and content that are not open source do not imply — either directly or by omission — that they are. Thus, you can't say you're raising money for Wikipedia when you're actually raising it for your own project, or you can't distribute or distributing "Wikipedia" when you're actually offering or distributing a modified version of the content (e.g., Wikipedia plus ads). And you can't use the Wikimedia Marks to promote your own products or services.

**Goal:
break down
wall of text
(old TM policy)**

Legal design workshop @ Stanford



Summarize in one page

Can I use Wikimedia trademarks?

YES please!

Under fair use

- when referring to a Wikimedia site,
- when using a word for its primary meaning,
- in news, art and parodies.

On Wikimedia sites,
for community events, and on
non-commercial merchandise.

Use this mark to
show you are a
member of the
Wikimedia
Movement



YES, but first...

please sign a
WIKILICENSE

for Wikimedia hackathons,
photo events,
and GLAM initiatives.

ASK

for anything else

- like domain names,
- other events and conferences
- publications, movies and TV
- and any commercial merchandise.

Sorry, NO.

Not for linking to non-Wikimedia sites,
or creating mimicking websites,
or to otherwise mislead others.

FIRST DRAFT

Icons to navigate the policy



Scope of Policy



Trademark Violation



Revisions



Purpose of Policy

The Readability Test Tool

Let's make the unreadable readable

Readability Test Results

This page has an average [grade level](#) of about 11.

It should be easily understood by 16 to 17 year olds.

[Tweet this result!](#)

Readability Indices

Flesch Kincaid Reading Ease	51.4	
Flesch Kincaid Grade Level	9.9	
Gunning Fog Score	11.5	
SMOG Index	9.9	
Coleman Liau Index	13	
Automated Readability Index	9.3	

Text Statistics

No. of sentences 219

Revise policy to improve readability

We invite you to use any one of the Wikimedia marks on your own website, provided you use it only as a hyperlink to allow your visitors to go directly to the source of Wikimedia project content.

Remove long sentences

~~We invite you to use any one of the Wikimedia marks on your own website, provided you use it only as a hyperlink to allow your visitors to go directly to the source of Wikimedia project content.~~

Use simple sentence structure

you **may** use **all** Wikimedia marks on your own website as a hyperlink to **the** Wikimedia **sites**.

Lather. Rinse. Repeat.

```
if (average grade level > 11)
{
    rewrite text
}
else
{
    \o/
}
```

2009 Policy

We invite you to link to Wikimedia website(s) for the purpose of allowing your visitors to go directly to the source of Wikimedia project content.

This use is allowed as long as you:

- Follow the Wikimedia Trademark Policy (this policy).
- Point the destination URL to the official Wikimedia websites. You may not use a Wikimedia trademark, banner, button or logo to point to your own website (except insofar as you are allowed to do so through an independent agreement — e.g., the Wikimedia Chapter agreement).
- Don't alter any of the Wikimedia Marks including our logos.
- Don't do anything with the Marks that might confuse visitors to your website into mistaking the origin of the material being downloaded — e.g., suggesting that the material is Wikimedia Project content when in fact it is yours.

You may customize the buttons in the following ways:

- Localize the text (but not the Wikimedia Marks, except to the extent that those Marks are localized as Chapter identifiers).
- Change the size of the button or banner.
- Remember the Wikimedia Marks generally must not be altered in any way, except as localized through agreement with a Chapter. If your use of these banners or buttons violates our Trademark Policy, we reserve the right to rescind the license granted here.

2014 Policy

You may use all Wikimedia marks on your own website as a hyperlink to the Wikimedia sites.

The use of logos in hyperlinks should follow the Visual Identity Guidelines (e.g., the marks may be resized, but not modified in any other way).

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lawyer cat: I objectz!

**if can't hide unpopular terms in small print,
have to come up with unique legal solutions**

Comparison	2009 policy	2014 policy
Origin	Mozilla policy	Community input
Remixes	x	✓ on projects
Translations / combinations	x	✓ on projects
High Resolution	x	✓
Free use on the projects?	<i>not covered</i>	✓
Community-focused events	License	✓
Outreach etc.	License	✓
Partnerships with Galleries, Libraries, Museums etc. (GLAM)	License	Quick License
Other uses	License	Streamlined TM application

Liberal uses for community




[[HACK-A-THON | BRIGHTON]]

2011-11-[18-20]

Quick license: online, short, simple

GLAM Quick License

In order to use the Wikimedia marks for a **GLAM** project, please fill out the license below and email it to trademarks@wikimedia.org . Make sure to check whether [you need a license at all](#). You can read more about why we need to license the Wikipedia marks [here](#) and [read the FAQs for more information](#).

Your License

Who?
What?
When?
Where?
Why?

The Wikimedia Foundation, Inc., ("WMF") hereby grants _____ ("you") a non-exclusive, non-sublicensable, non-assignable limited license to use the "puzzle globe" mark, "The 'W' icon", and the "Wikipedia wordmark" for a GLAM project, where Wikimedia project editors collaborate with a _____ (please state one of the following: gallery, library, archive, museum, botanical or zoological garden).

The license is granted for the following project:

Participant Name: _____

Main purpose of the project: _____

Host organization/group/individual: _____

Venue & location: _____

The license is granted under the following conditions:

How can I use the mark?

Approved Use: The marks may be used on promotional material, such as flyers, posters, slide presentations, social media & email invitations, the event website, and in venue decoration with respect to the GLAM project. The use must comply with the [Visual Identity Guidelines](#), and the rules on proper use under [Section 2 of WMF's Trademark Policy](#). The use must also be consistent with the [Wikimedia mission](#) and the projects for which the marks are intended to represent. Our community creates free, high quality educational material and software in an open and collaborative way. Use of our marks must reflect these qualities. You also need to make sure that any material carrying the mark are well maintained while they are in public display.

What do I need to give to WMF?

Quality Control: You will provide samples of flyers, posters, slide presentations, screenshots of digital correspondence, or mock-up when you email this license to WMF. You agree to promptly respond to WMF's requests for additional information or to an inspection of your use.

Thank you!

Comments? → @yanatweets

Attributions



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Maia Weinstock, Wiki cupcakes!, CC-BY-SA 2.0



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Tchanders, Pumpkipedia-55, CC-BY-SA 3.0



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