

Node.js Foundation Trademark Guidelines for the Node.js Marks

The Node.js trademarks, including “Node.js” (the word mark in plain text or in logo form), have come to represent both the Node.js community as well as the widely adopted Node.js platform for easily building fast, scalable network applications (the “Project”). Trademark protection reinforces the connection between the developer community and the Node.js Foundation (the “Foundation”) and ensures that the marks are only used for activities that promote the Foundation’s mission.

The goodwill supporting the Node.js marks has been generated by this prolific and passionate community. To preserve the goodwill it has created, we have prepared these guidelines in accordance with the community’s desires. The resulting guidelines safeguard that all uses of the marks are consistent with the Foundation’s mission, while at the same time making the marks available for use by the community. These guidelines seek to balance enabling the community and protecting the marks, while at the same time encouraging appropriate uses of the marks.

Q: Can I use the Node.js marks? A: Yes, in accordance with these guidelines.

Q: What do these guidelines cover? A: These guidelines cover your use of the Node.js marks.

1. The “Node.js” word mark and logo

These guidelines apply to the Node.js trademarks. The trademarks are both registered and unregistered trademarks, including non-stylized wordmarks and the trade dress of the Node.js marks. In these guidelines, we refer to them as the “Node.js marks” or just “marks.” Here is a non-exclusive list of the Node.js marks:

Node.js Marks:

Notes:



2. “Use” of the Node.js marks

These guidelines apply whenever you want to use a Node.js mark. If you comply with these guidelines, you have permission for use of the marks in many situations without the need for any other right or license. **These guidelines also provides guidance for some uses that will require specific permission or a license.**

3. “You”

These guidelines apply to “you” if you want to use the Node.js marks and explains how you may use them. You may be a member of the Node.js developer community or an unrelated individual or organization. The Node.js Project includes everyone who contributes to the Foundation to further the Foundation’s mission. These contributors are the core of the movement. Accordingly, community members are free to use the Node.js marks to identify Node.js Foundation code and for Foundation community-focused events, as well as Foundation outreach work.

Q: What rules do I have to follow if I want to use the Node.js marks? A: In all situations you have to comply with the following common trademark practices.

4. Visual guidelines.

Follow the Foundation's [visual identity guidelines](#) whenever you use the marks.

5. Proper form

You may use the wordmarks as a proper name (e.g. "Node.js is great") or as an adjective (e.g. "the Node.js project is awesome"). These are examples of a "fair use" of a trademark. Generally, anyone can use another's trademark if the use refers to the trademark in a factual manner, using only so much of the trademark as is necessary to identify that product or service, and in using the trademark, the user must not imply sponsorship or endorsement by the actual trademark holder.

The following are a few examples of permitted fair use of the Node.js Trademarks:

- "I recommend (or don't recommend) Node.js for your business."
- "This is the graphic logo for Node.js software."
- "This conference will be about my experiences with Node.js."
- Mere reference to Node.js in a blog, article, paper, etc.

You may only use Node.js wordmarks in their full form and properly capitalized (e.g. "Node.js"). You may not abbreviate them or combine them with other words (e.g. not "FooNode.js" or "N.js"). Avoid any use that might be misleading.

It is important that the Node.js marks are not misleadingly used to market others' products because that will confuse users. For example, you should not display the Node.js logo more prominently than your own logo or name. It's helpful to always have a proper separation between your organization's name and logo and any Node.js marks. Users should clearly see that the organization's products or services are provided by that organization rather than the Foundation.

Q: Does the Node.js Foundation Own the Node.js marks? A: No, the Node.js Foundation does not own the registered Node.js marks, but the Foundation has full authority to authorize your use of the Node.js marks consistent with these guidelines.

Joyent, Inc. acts as a Trademark steward for the Node.js word mark and logo. When reasonable, please include this notice when you use a mark outside of the Foundation:

Node.js is a trademark of Joyent, Inc. and is used with its permission. We are not endorsed by or affiliated with Joyent."

The notice should appear near the first use of Node.js.

Q: When may I use the Node.js marks without asking for permission? A: You may use the mark without asking for permission in any of the following contexts.

1. Refer to the Node.js Foundation (“fair use”)

You may, of course, use Node.js as a word mark or as a logo on the Node.js Foundation website or to refer to the Project, the Foundation or to the Foundation’s code base or community.

You may also use the trademarks for educational or other events that promote the Foundation’s mission or recruit new volunteers, such as hackfests or user conferences, as long as you comply with any code of conduct or other guidelines, [including the Node.js Foundation guidelines](#), adopted by the community for such events. For example, you can put the Node.js logo on banners and posters that will be used at a Node.js meeting that you have organized. But you may not sell merchandise or use the marks in any manner relating to fundraising without permission, beyond any charges that will help you to recoup the expenses associated with hosting the event itself.

You may use the non-stylized wordmarks (e.g. “Node.js”) to refer to the Foundation or to accurately identify the Project or Foundation as the source of materials. For example:

- “I am a contributor to Node.js.”
- “I think Node.js is extremely useful code.”
- “I started with code from Node.js, but I modified it in all the following ways.”

But please don’t use the Foundation name to imply endorsement by or affiliation to the Foundation.

2. Links to the Node.js Foundation

You may use Node.js or the Node.js logo on your website as a hyperlink to the home page of the Node.js Foundation. Please make sure any use of the marks follow the Visual Identity Guidelines. For example, the marks may be resized, but not modified in any other way. And remember that you must avoid any use that implies any endorsement of you or your site or otherwise by the Foundation. The Foundation may in the future define specific image files to use for these use cases.

3. Make your own branded items

You may create things with the marks for your own use. These can be t-shirts, caps, desktop wallpapers, and even cakes! But please make sure that your design follows the [Visual Identity Guidelines](#). Keep in mind that you are not allowed to sell branded items with the Node.js marks except as explained in the next paragraph.

If you create products that include the Node.js code received from the Foundation or that interoperate with the Node.js code, you may use the Node.js marks to indicate that the products are based on or are compatible with the Node.js code. However, you may not state or imply that the Foundation or Joyent endorses or otherwise approves your products.

Q: When do I have to ask permission to use the Node.js marks? A: You must ask permission for any use not expressly provided for above. The following are examples of uses that will require you to obtain permission in advance.

All uses that are not expressly allowed under these guidelines require that you request permission in advance by sending a request to trademark@nodejs.org. This section discusses only the most common uses that require express permission.

1. Domain names

You need permission to register or use a domain name that contains a Node.js mark in it. Please don't register a domain that looks or sounds similar to a Node.js or includes a misspelled Node.js mark as that can confuse community users.

2. Events and conferences

You need express permission if you plan to host a public commercial event or a conference that uses a Node.js trademark other than a community meeting for which there is no charge (aside from charges to recoup meeting costs only). Node.js Foundation community meetups, events, or user group meetings should be open to the Node.js community and for the Node.js community. For example, you may not use the marks to host an event limited to your customers and partners.

Please send the following information to trademark@nodejs.org to request permission to display or otherwise use a Node.js trademark in association with an event that is not a community meeting, meetup or group meeting:

1. What is the proposed title of the event?
2. Who is hosting, sponsoring, or coordinating the event?
3. Are there any fees for attending the event, or will sponsorship fees be collected?
4. Include contact information for the person organizing the event.
5. Is the event organized exclusively for Node.js contributors? Are there any restrictions on who may attend from the Node.js community?
6. What is the topic of the event?
7. The location, date, and duration of the event.
8. Include handouts, examples, mockups, or other descriptions of the proposed use.

If you receive permission, it will only apply to that specific event, and will not carry forward to additional events or successive holdings of the same event. You will have to inquire for a new license if you intend to host another event that is not explicitly allowed in the first paragraph of this section.

3. Publications

You need a trademark license if you want to use a Node.js mark in a publication in any way that is not fair or nominative use under U.S. trademark law or other applicable foreign laws. One example of a use that requires a license would be a monthly subscription digital magazine named "Node.js Monthly". Please send your request to trademark@nodejs.org to seek permission for use of Node.js in a publication.

If you receive permission, it will only apply to that specific publication, and will not carry forward to additional publications.

4. Commercial merchandise

You must also request permission to make merchandise with the Node.js for commercial use (if you plan to give away merchandise in connection with an event, we would not consider that to be a commercial use).

Q: Are there uses of the Node.js marks that are always prohibited? A: You may ask permission for any use not expressly provided for in these guidelines. The following are examples of uses that must be avoided.

1. Misleading mirrors and mimicking sites

Please don't create a website that mimics the 'look and feel' of the Foundation's website. If you have a good reason to create a mimicking site, please contact us at trademark@nodejs.org.

If you create a mirror, make sure to comply with the relevant licenses for the content. Please don't use the Node.js marks in a mirror of the Foundation's website.

2. Misrepresentation

When you use a Node.js mark, do not create the impression that your use is in any way endorsed, sponsored by, or part of the Foundation. This section also applies when you are granted express permission by us to use a mark in a certain way.

3. Abusive uses

We may revoke the right to use the Node.js marks under these guidelines at any time by providing notice in any manner if we determine that a trademark use is inconsistent with the Foundation's mission or could harm community members or the Node.js Foundation.

Q: What should you do if you are concerned about someone else's use of the Node.js trademarks? A: You should report your concerns in an email to trademark@nodejs.org.

Fighting trademark abuse is very important. We put a lot of effort into enforcement because we want to protect the valuable trademark rights the Project and Foundation have created. If you see a mark being used in any way that could be inappropriate, please tell us! Just send an email to trademark@nodejs.org. We really appreciate your help!

Q: Can the Foundation revise these guidelines? A: Yes, but only with some notice to the community.

Generally, we will give notice of proposed revisions on the Foundation website and in an email to policies@nodejs.org. The Node.js community can then comment for at least 30 days. Any change to these guidelines will require Node.js Foundation Board approval.

For minor changes or changes required by law, when possible we will provide three days' notice to policies@nodejs.org. Minor changes include language fixes, administrative changes, or corrections of inaccurate statements.

This does not apply to any summary, any FAQ, or any forms relating to these guidelines (those items can be revised without notice).

Q: Are these guidelines available in languages other than English? A: Not at this time and, in any event, the English version will represent the actual guidelines.

If some term in a translation of these guidelines is inconsistent with the original English version of these guidelines, you should follow the original English version.

Q: What if I have questions regarding these guidelines? A: Please contact us!

Please don't hesitate to contact us at trademark@nodejs.org if you are not sure whether your use is in compliance with these guidelines or local trademark laws.

Guidelines Template Attributions and Appreciation

The Collaborative Mark Policy is a derivative of the Wikimedia Trademark Policy, by Wikimedia contributors, under the Creative Commons Attribution ShareAlike 3.0 (unported) license (CC BY-SA 3.0).

The Wikimedia Trademark Policy is available at https://wikimediafoundation.org/wiki/Trademark_policy.

The Sample Trademark Policy for Collaborative Communities is licensed under the CC BY-SA 3.0 license.

The terms of the CC BY-SA 3.0 license are available at <https://creativecommons.org/licenses/by-sa/3.0/>