

## Trademark Policy for new Top Level Domains (TLD)

Version 1.0

As Trademark holder, Open Source Matters has to protect its trademark from misuse.

This document describes the procedure under which OSM may, under certain circumstances grant a license for use of top level domain (TLD) that includes one of our trademarks.

### Procedure

- 1) An interested party may request a license to use domain name using one of the Joomla trademarks by submitting a ticket at [tm.joomla.org](https://tm.joomla.org) stating their intended usage of the domain.
- 2) The Joomla! Trademark Team will review the application and the active website (if any) and will propose any corrective action they deem necessary to ensure a proper use of the Joomla trademarks on the proposed domain.
- 3) If the domain name has not yet been registered, the interested party should ensure that they register the domain name with Open Source Matters as the Registrant.
- 4) When published, the website should publish the proper disclaimer as described at: <https://tm.joomla.org/disclaimers.html>

### Important notes

Any newly registered domain must have **Open Source Matters, Inc. as a Registrant**.

This allows OSM to recover the domain name in case of violation of the organisation's Trademark policy and regulations. As Registrant OSM will receive an EPP Code and/or an Auth Code and will be notified in the case of ownership/contact changes.

The interested party should be listed as Administrative and Technical Contact (Admin-C and Tech-C) of the requested domain name.

This will allow the interested party to effectively manage the domain name (including paying the registrant, the hosting company, etc.) and use make use of the domain name as agreed by OSM.

### Registrant Data

Open Source Matters, Inc.  
PO Box 4668 #888354  
New York, NY 10163-4668  
United States  
Email of the Registrant should be [admin@joomla.org](mailto:admin@joomla.org)

### Why does OSM need to be the registrant?

- To easily recover / reassign the domain name in case of violation, dispute or lapse of registration.
- To avoid legal disputes with any managing party that has violated OSM Trademark Policy.

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- To effectively grant a license on its trademark instead of giving people the full power to use and misuse OSM Trademarks.

## Applicability

This policy is applicable to all newly requested and registered domain names that include one of the Joomla! Trademarks, including any of the current and the future TLDs (e.g. joomla.by, joomla.place, joomla.cafe, joomla.yoga, etc.)

## Disclaimer

Open Source Matters grants the 'domain user' permission to use a TLD as long as the 'domain user' agrees to abide by all Trademark and other policies as documented on the [tm.joomla.org](http://tm.joomla.org) website.

Guidelines are subject to change, and it is the responsibility of the 'domain user' to keep up with changes and stay in compliance. In the event that the 'domain user' violates Joomla! policy, Open Source Matters (or one of its sub teams, such as the Trademark Team, the JUG Team, etc.) will attempt to contact 'domain user' by email, direct message or other available means in order to help them correct the violation.

The goal is to help the 'domain user' remain complaint, and a reasonable amount of time will be provided for the 'domain user' to come into compliance. In the event that Open Source Matters has not been able to connect with the 'domain user' after trying at least two different means and has waited no less than 30 days, or in the event that the 'domain manager' fails to attain compliance, Open Source Matters may exercise their right to take over the domain and shut down the site.

If the 'domain user' feels that the site has been taken from them wrongly, a formal letter of protest may be made to [trademark@opensourcematters.org](mailto:trademark@opensourcematters.org) for review and the 'domain user' will have the opportunity to voice their case. Open Source Matters reserves the right to keep the site offline until the dispute is resolved. All decisions by the Trademark Team will be final."

*This policy has been adopted by the Board of Directors of Open Source Matters, Inc. with the motion #2017-069 on September 28, 2017.*