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TRADEMARK STANDARDS FOR USE

Use of any 10gen trademark must be in accordance with this policy. 10gen's trademark policy attempts to balance two competing interests: 10gen's need to ensure that its trademarks remain reliable indicators of the source and quality of 10gen's products and services and 10gen's desire to permit community members, software distributors and others that 10gen works with to discuss 10gen's products and services and to accurately describe their affiliation with 10gen.

Underlying 10gen's trademark policy is the general law of trademarks. Trademarks exist to help consumers identify, and organizations publicize, the source of products and services. Some organizations make better products than others; over time, consumers begin to associate those organizations (and their trademarks) with quality. When such organizations permit others to place their trademarks on goods of lesser quality, they find that customer trust evaporates quickly. This is the situation that 10gen seeks to avoid, especially since, when it comes to intangible products like software, trust is all consumers have to decide on.

Although 10gen's trademark policy is composed of a number of specific rules, most reflect the overarching requirement that your use of 10gen's trademarks be non-confusing and non-disparaging. By non-confusing, 10gen means that people should always know who they are dealing with, and where the software they are downloading came from. Websites and software that are not produced by 10gen should not imply, either directly or by omission, that they are. By non-disparaging, we mean that, outside the bounds of fair use, you cannot use our trademarks as vehicles for defaming us or sully our reputation. These basic requirements can serve as a guide as you work your way through the policy.

Ownership

The 10gen trademarks will remain the sole property of 10gen. All use and goodwill associated with the 10gen trademarks will inure to the benefit of 10gen.

Standards for Use

All uses of 10gen trademarks must conform to the following:

1. Prior to any use of any 10gen trademarks, you must submit the proposed use for 10gen's prior written approval. 10gen may, in its sole discretion, approve or reject such use, and 10gen will notify you promptly of the approval or rejection.
2. You may use the 10gen trademarks only to identify and distinguish 10gen products and services. The 10gen trademarks may not be applied to products or services provided by anyone other than 10gen, except as authorized in writing by 10gen.
3. You may not combine any 10gen trademark with another word or hyphenate any 10gen trademark.
4. You may not abbreviate any 10gen trademark by leaving out one or more word portions of the trademark.
5. You may use the 10gen trademarks only as adjectives and never as nouns or verbs. You may not use any 10gen trademark in possessive form.
6. 10gen trademarks may only be used with the correct form of notice of registration. The correct notice to be used in association with trademarks depends on whether or not the mark is registered in the applicable jurisdiction. If it is not registered, the notice or the word "trademark" or the symbol "TM" or "SM" should be used in association with the trademark. If it is registered in the applicable jurisdiction, the ® should be used. These notices should be placed adjacent to the trademark and be given on all advertising materials, and on product labeling, computer screens, and other uses. Where a trademark is used more than once in a single display, the notice should be placed at the first or most prominent use of the trademark.

7. The following notice should appear in the document in which the 10gen trademark is used: "[TRADEMARK] is a trademark of 10gen, Inc.";
8. When you use a 10gen trademark in a non-stylized form, such as in the body of text of an advertisement, it must be set apart and distinguished from the other words in the text. In order to do this, the trademark should be rendered in boldface type, italics, all capital letters, set in quotation marks or underlined.
9. Each representation of a 10gen trademark should be consistent, undistorted, and clear. The logo may not be used in a size so small that any design feature of the mark is lost. In general, this will mean that the logo must appear by itself, in a reasonable size, with reasonable spacing (at least the height of the logo) between each side of the logo and other graphic or textual element. The logo must appear in exactly the same spatial relationship as set forth in any graphic standards information provided by 10gen.
10. You may not use any 10gen trademark in any advertising or material in violation of any applicable law, ordinance or regulation of any country.
11. You may not use any 10gen trademark in a misleading in any way.
12. You may not use any 10gen trademark on or in connection with any defamatory, scandalous, pornographic or other objectionable materials of any sort.
13. You may not use any 10gen trademark to disparage 10gen or its products or services, or in a manner which, in 10gen's reasonable judgment, may diminish or otherwise damage 10gen's goodwill in the logos, trade names, or trademarks.
14. You may not take any action that would in any way tarnish or dilute the value of the 10gen trademarks.
15. You may not adopt, use or attempt to register with any agency in any jurisdiction the trademark "10gen" or any trademark, trade name, service mark, logo or domain name consisting of, in whole or in part, the word "10gen" or any marks confusingly similar to any 10gen trademark.
16. If you become aware of any infringement, actual or suspected, or any other unauthorized use of any 10gen trademark, you will promptly give notice to 10gen in writing, specifying the particulars of the unauthorized use.
17. You agree not to attack the title or any rights of 10gen in and to 10gen's trademarks or attack the validity of the 10gen's trademarks.
18. If, at any time, 10gen objects to your improper use of any 10gen trademark, you agree to take such steps as may be necessary to resolve 10gen's objections.

Services Related to 10gen Software

If you offer services related to 10gen software, you may use 10gen's trademarks in describing and advertising your services, so long as you don't violate these overall guidelines for the use of 10gen's trademarks or do anything that might mislead customers into thinking that 10gen has any direct relationship with your organization, without 10gen's prior written consent. For example, it is OK if your website says, "Services for the 10gen products." It's not OK, though, if it says, "10gen training services sold here," since the first suggests that 10gen is related to your business, and the second is confusing as to who, you or 10gen, is performing the training. When in doubt, err on the side of providing more, rather than less, explanation and information.

Domain Names

If you want to include all or part of a 10gen trademark in a domain name, you must first receive written permission from 10gen. People naturally associate domain names with organizations whose names sound similar. Almost any use of a 10gen trademark in a domain name is likely to confuse consumers, thus running afoul of the overarching requirement that any use of a 10gen trademark be non-confusing.

Questions

10gen has tried to make its trademark policy as comprehensive as possible. If you're considering a use of a 10gen trademark that is not covered by the policy, and you are unsure whether that use would run afoul of 10gen's guidelines, please contact 10gen at marketing@10gen.com.