

OP3FT TRADEMARK USAGE POLICY

Published by the OP3FT, the non-profit organization whose purpose is to hold, promote, protect and ensure the progress of the Frogans technology, in the form of an open standard for the Internet, available to all, free of charge.

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PURPOSE OF THE POLICY

1. The OP3FT is a non-profit organization acting in the public interest. The OP3FT's purpose is to hold, promote, protect and ensure the progress of the Frogans technology, in the form of an open standard for the Internet, available to all, free of charge.
2. The Bylaws governing the functioning of the OP3FT are published on the OP3FT's Web site at the following permanent URL (Uniform Resource Locator): <https://www.op3ft.org/en/resources/bylaws/access.html>
3. In order to enable all users worldwide to use the Frogans technology in a clearly defined, secure and perpetual environment, the OP3FT Bylaws provide for the implementation of an intellectual property policy. Within this context, the OP3FT is the holder of trademarks in relation to the Frogans technology which are registered or under registration process in France, other European Union countries, the United States, Canada, Australia, China, India, Japan or other countries in Latin America, Africa and Asia.
4. Complete information on trademark registrations of the OP3FT is updated and published annually in the OP3FT activity reports, available at the following permanent URL: <https://www.op3ft.org/en/resources/ar/access.html>.
5. The purpose of this Policy is to enable any person, individual or organization, to use OP3FT trademarks in references or as part of initiatives in connection with the Frogans technology.
6. This Policy is intended to foster the construction of an ecosystem on top of the Frogans technology and to enable entrepreneurs to develop and successfully manage their activities in a global context.
7. This Policy is published on the official Web site of the Frogans technology at the following permanent URL: <https://www.frogans.org/en/resources/otup/access.html>.
8. The official version of this Policy is provided in the English language. The OP3FT may also provide translations in other languages for information purposes.
9. Acceptance of this Policy is required in order to use any trademark of the OP3FT.
10. The right to use any trademark of the OP3FT is granted without any formality other than compliance with the provisions set forth in this Policy.
11. The use of any derivative logos of the OP3FT trademarks, such as the OP3FT logo, the "Frogans technology" logo and the "get.frogans" badge, is governed by the terms of use of the Web sites in which they are published.
12. In case of doubt regarding the use of any trademark of the OP3FT, or in order to obtain a special license agreement for a trademark of the OP3FT, it is possible to contact the OP3FT at following the E-mail address: [contact-tm \(at\) op3ft \(dot\) org](mailto:contact-tm@op3ft.org).
13. It is possible to report an abusive use of any trademark of the OP3FT. A reporting mechanism is available at the following permanent URL: <https://report.frogans.org/en/main.html>.

14. In the case of modification of this Policy, only the version in force prevails. The version in force is indicated on the official Web site of the Frogans technology at the following permanent URL: <https://www.frogans.org/en/resources/otup/access.html>.

15. For the remainder of this Policy, the terms "you" and "your" refer to an organization or an individual wishing to use any OP3FT trademark.

1. TRADEMARKS OF THE OP3FT

1.a. "FROGANS" TRADEMARKS

16. "Frogans" trademarks refer to the trademark "Frogans" and to the trademarks corresponding to the transcriptions of the trademark "Frogans" into different languages and writing systems. "Frogans" trademarks are used to identify the Frogans technology.

17. "Frogans" trademarks are:

- the trademark "Frogans"
- the trademark "福更斯" (transcription into the Chinese language);
- the trademark "フロガンズ" (transcription into the Japanese language);
- the trademark "프로강스" (transcription into the Korean language);
- the trademark "فروجنز" (transcription into the Arabic writing system);
- the trademark "Фроганс" (transcription into the Cyrillic writing system);
- the trademark "פרוגנס" (transcription into the Hebrew writing system);
- the trademark "फ्रॉगेन्स" (transcription into the Devanagari writing system);
- the trademark "ฟรอกแกนส์" (transcription into the Thai writing system);
- the trademark "Φρόγκανς" (transcription into the Greek writing system).

18. Frogans addresses of public Frogans networks have a network name corresponding to one of the "Frogans" trademarks. The right to use the "Frogans" trademarks in this context is granted to you provided that you comply with the provisions covering Frogans addresses set forth in the Frogans Technology User Policy, which is published on the official Web site of the Frogans technology at the following permanent URL: <https://www.frogans.org/en/resources/ftup/access.html>.

19. In addition to references to "Frogans" trademarks presented in detail in Part 2 of this Policy, you may use these trademarks as part of initiatives in connection with the Frogans technology, under the conditions set forth in Part 3 of this Policy.

1.b. FIGURATIVE TRADEMARKS

The figurative trademark

20. The figurative trademark "Frogans Star" corresponds to the asterisk character "*", which is used to distinguish Frogans addresses from other Internet addresses.

21. In the writing direction, the string of characters of a Frogans address begins with a network name followed by the asterisk character "*" and ends with a site name. For example, in the case of the left-to-right writing direction, the pattern of a Frogans address is:

Network-Name*Site-Name

22. In addition to references to the figurative trademark "Frogans Star" presented in detail in Part 2 of this Policy, you may use this trademark as part of initiatives in connection with Frogans addresses, under the conditions set forth in Part 4 of this Policy.

The figurative trademark

23. The figurative trademark "Two superimposed yellow and blue rectangles" is used to visually identify Frogans Player.

24. Frogans Player is free-of-charge software that is used to browse Frogans sites. Frogans Player is intended to be made available on a wide variety of fixed and mobile devices. It is developed and distributed by the OP3FT.

25. To ensure the security of Internet users, the OP3FT does not grant the right to use the figurative trademark "Two superimposed yellow and blue rectangles", which is exclusively reserved for the visual identification of Frogans Player. In particular, to avoid any confusion for Internet users, this figurative trademark must not be used to identify any other software.

26. Except for references to the figurative trademark "Two superimposed yellow and blue rectangles" presented in detail in Part 2 of this Policy, you must not use this trademark.

1.c. "FSDL", "FNSL" AND "FPUL" TRADEMARKS

The "FSDL" trademark

27. The "FSDL" trademark is used to identify the FSDL language.
28. The FSDL language, or Frogans Slide Description Language, is the markup language used to create Frogans slides. The FSDL technical specification is drawn up by the OP3FT.
29. In addition to references to the "FSDL" trademark presented in detail in Part 2 of this Policy, you may use this trademark as part of initiatives in connection with the Frogans technology, under the conditions set forth in Part 3 of this Policy.

The "FNSL" trademark

30. The "FNSL" trademark is used to identify the FNSL language.
31. The FNSL language, or Frogans Network System Language, is the markup language used to resolve Frogans addresses. The FNSL technical specification is drawn up by the OP3FT.
32. Except for references to the "FNSL" trademark presented in detail in Part 2 of this Policy, you must not use this trademark.

The "FPUL" trademark

33. The "FPUL" trademark is used to identify the FPUL language.
34. The FPUL language, or Frogans Player Update Language, is the markup language used to secure the initialization and update of Frogans Player. The FPUL technical specification is drawn up by the OP3FT.
35. Except for references to the "FPUL" trademark presented in detail in Part 2 of this Policy, you must not use this trademark.

1.d. "OP3FT" TRADEMARK

36. The "OP3FT" trademark corresponds to the official name of the *Fonds de dotation* "Organization for the Promotion, Protection and Progress of Frogans Technology" in its abbreviated form.
37. Except for references to the "OP3FT" trademark presented in detail in Part 2 of this Policy, you must not use this trademark.

2. USE OF TRADEMARKS OF THE OP3FT IN REFERENCES

38. This Part covers the trademarks of the OP3FT, as defined in Part 1 of this Policy, when these trademarks are used in references.

2.a. TYPES OF REFERENCES

39. Making a reference to any trademark of the OP3FT for private use does not require authorization from the OP3FT. For example, you may include any trademark of the OP3FT on a personal object that is not intended for sale.

40. Making a reference to any trademark of the OP3FT for informational purposes does not require authorization from the OP3FT. For example, you may make a reference to any trademark of the OP3FT in an online publication, such as a press article, a blog post, or an encyclopedia page.

41. The laws in some countries may allow other good-faith uses of trademarks. In these countries, you may use any trademark of the OP3FT in accordance with these laws. For example, in the United States, you may use any trademark of the OP3FT within the context of "fair use".

42. A reference to any trademark of the OP3FT must not be made in a manner that would cause confusion or that would give a misleading description of the trademark. For example, you must not make a reference to a trademark of the OP3FT if your reference has no connection with the Frogans technology, or if your reference is made in a deceitful context.

43. As regards the "Frogans" trademarks and the "FSDL" trademark, other uses are presented in Part 3 of this Policy for initiatives in connection with the Frogans technology.

44. As regards the figurative trademark "Frogans Star", other uses are presented in Part 4 of this Policy for initiatives in connection with Frogans addresses.

2.b. RULES FOR REFERENCES

45. The trademarks of the OP3FT must be used without transformation or alteration.

46. Except for the "OP3FT" trademark, the trademarks of the OP3FT must not be used in the possessive form in languages in which this form alters these trademarks.

47. The trademarks of the OP3FT must not be used as a verb.

48. The trademarks of the OP3FT must not be used as generic names/nouns and in particular must not be used in the plural form.

49. "Frogans" trademarks must be used as adjectives and they must not be used alone. For example, common uses of the trademark "Frogans" are:

- the Frogans project
- the Frogans technology
- the Frogans layer
- a Frogans site, Frogans sites
- a Frogans address, Frogans addresses
- a Frogans network, Frogans networks
- the Frogans Core Registry (FCR)
- the Frogans Star
- use Frogans Player

50. You must not use the "Frogans" trademarks as generic names/nouns. For example, you must not use the expression "a Frogans" to refer to a Frogans site or a Frogans address, or the expression "use Frogans" to refer to the use of Frogans Player.

51. In the Latin, Cyrillic and Greek writing systems, the "Frogans" trademarks must either be written entirely in uppercase characters, or the first character must be written in uppercase and all the following characters in lowercase.

52. The "FSDL", "FNLS", "FPUL" and "OP3FT" trademarks must be written entirely in uppercase characters.

53. Rules for references concerning the use of uppercase characters do not apply when you use digital identifiers containing trademarks of the OP3FT (such as domain names, URLs, Frogans addresses, social network identifiers and E-mail addresses).

2.c. TRADEMARK NOTICE

54. When you make a reference to any trademark of the OP3FT, you must include in your credits, in a clear and obvious way, the following trademark notice in English:

[Trademark] is a trademark of the OP3FT. The use of this trademark is governed by the OP3FT Trademark Usage Policy, available at the following permanent URL <https://www.frogans.org/en/resources/otup/access.html>

Depending on your use, you must replace *[Trademark]* by *Frogans*, a transcription of "Frogans", *FSDL*, *FNLS*, *FPUL* or *OP3FT*. For the figurative trademarks, you must replace *[Trademark]* by:

- *the figurative trademark "Frogans Star"*
- *The figurative trademark "Two superimposed yellow and blue rectangles"*

55. Nevertheless, if you use a language other than English, you may translate the trademark notice into that language and include it in your credits instead of the English version.

For example, the French translation for the trademark notice is:

[Trademark] est une marque de l'OP3FT. L'utilisation de cette marque est régie par la Charte d'Utilisation des Marques de l'OP3FT, accessible à l'URL permanente suivante <https://www.frogans.org/en/resources/otup/access.html>

The French translations for the figurative trademarks are:

- *la marque figurative « Étoile Frogans »*
- *La marque figurative « Deux rectangles superposés jaune et bleu »*

3. USE OF THE "FROGANS" TRADEMARKS AND THE "FSDL" TRADEMARK IN INITIATIVES IN CONNECTION WITH THE FROGANS TECHNOLOGY

56. This Part covers the "Frogans" trademarks and the "FSDL" trademark, defined in Sections 1.a and 1.c of this Policy, when these trademarks are used in an initiative in connection with the Frogans technology.

57. The right to use the "Frogans" trademarks and the "FSDL" trademark granted to you by the OP3FT under this Part is individual, worldwide, non-transferable and non-exclusive. This right of use is granted to you royalty-free and for an unlimited period.

58. The right to use "Frogans" trademarks and the "FSDL" trademark is granted to you provided that you comply with the provisions in Sections 3.a, 3.b, 3.c and 3.d of this Policy.

3.a. CONCERNED INITIATIVES

59. You may use one of the "Frogans" trademarks or the "FSDL" trademark to compose the name or designation of an initiative that you develop in connection with the Frogans technology, whether or not your initiative has a commercial purpose, provided that this initiative aims to promote the dissemination and use of the Frogans technology among Internet users.

60. If you create a specific organization to develop your initiative and the organization's activity is primarily focused on this initiative, you may use one of the "Frogans" trademarks or the "FSDL" trademark in the name of this organization. If you develop an initiative within an existing organization, you may use one of the "Frogans" trademarks or the "FSDL" trademark in the name of the department responsible for the initiative within this organization.

61. After naming or designating your initiative or your organization using one of the "Frogans" trademarks or the "FSDL" trademark, you can create and use digital identifiers derived from the name or designation of your initiative or your organization. These digital identifiers may therefore contain the used trademark. These digital identifiers may be, for example, domain names, URLs, Frogans addresses, social media identifiers or E-mail addresses.

62. For example, you may use one of the "Frogans" trademarks or the "FSDL" trademark if your initiative primarily focuses on:

- providing services in connection with the Frogans technology, such as services for the design, development, hosting or indexing of Frogans sites, or registration-management services for Frogans addresses; in this case you may include the used trademark in the name of your service or of your organization;
- creating resources based on the Frogans technology, such as a tutorial or a book; in this case you may include the used trademark in the name of your resource, whether or not you exploit this resource for commercial purposes;
- developing software based on the Frogans technology; in this case you may include the used trademark in the name of your software, whether or not you exploit this software for commercial purposes;

- building a community of users of the Frogans technology; in this case you may include the used trademark in the name of your community;
- providing services for putting users of the Frogans technology in contact with one another or with third parties, such as a discussion forum or a marketplace; in this case you may include the used trademark in the name of your service;
- organizing events in connection with the Frogans technology, such as a conference, a competition or a training session; in this case you may include the used trademark in the name of your event.

63. Your initiative may consist in creating or distributing objects (goodies) that promote the Frogans technology, such as t-shirts, caps, mugs or stickers; in this case you may include one of the "Frogans" trademarks or the "FSDL" trademark on these objects, whether you distribute them for free or at a cost.

64. Your initiative is not limited to the examples presented in this Section. Your initiative may also consist in a combination of the examples of initiatives presented in this Section.

3.b. TERMS OF USE

65. You may use one of the "Frogans" trademarks or the "FSDL" trademark only if your initiative is related to this trademark, as presented in Sections 1.a and 1.c of this Policy.

66. You must not use any of the "Frogans" trademarks or the "FSDL" trademark if your use of the trademark causes confusion between your initiative and any element of the Frogans technology or any work carried out by the OP3FT.

67. Your use of one of the "Frogans" trademarks or the "FSDL" trademark must not imply the existence of any partnership, sponsorship or affiliation with the OP3FT, or imply that the OP3FT supports your initiative.

68. Given that the right of use granted to you by the OP3FT for one of the "Frogans" trademarks or for the "FSDL" trademark is non-exclusive, you acknowledge and agree that the OP3FT authorizes the use of the same trademark by others, even if this trademark is used in an identical manner.

69. If, as part of your initiative, you have created a digital identifier containing one of the "Frogans" trademarks or the "FSDL" trademark but you do not use or you no longer use this digital identifier, you undertake to make it available again.

70. You undertake not to file any trademark application for the name or designation of your initiative or of your organization containing one of the "Frogans" trademarks or the "FSDL" trademark.

71. You undertake not to associate any of the "Frogans" trademarks or the "FSDL" trademark with any content or activity:

- reserved for adults;
- which promotes gaming or gambling;
- which involves the sale of tobacco, alcohol or drugs;
- contrary to law and order, for example pedophile content or activity, inciting racial hatred or violence, or condoning crimes against humanity;

- which the OP3FT may deem misleading, unfair, defamatory, insulting, unlawful, derogatory, obscene or offensive; or
- in violation of the laws in force in your country.

72. Only the OP3FT has standing to take legal action and to defend its trademarks. You expressly undertake to inform the OP3FT without delay of any legal or extrajudicial action against you with respect to one of the "Frogans" trademarks or the "FSDL" trademark for which the OP3FT has granted you a right of use.

73. In order to ensure the effective application of the provisions set forth in this Policy, the OP3FT reserves the right to control the use made of its trademarks. As such, you undertake to respond without delay to any question from the OP3FT.

74. Failure to comply with any of the provisions in this Policy will result in the termination of your right to use one of the "Frogans" trademarks or the "FSDL" trademark. This termination does not exclude the possibility of legal action by the OP3FT, third parties or public authorities.

3.c. COMPOSITION RULES

75. You must follow the composition rules presented in this Section when you use one of the "Frogans" trademarks or the "FSDL" trademark to compose the name or designation of your initiative or of your organization as well as your derived digital identifiers.

76. The trademark must not be used alone and must be combined with one or more terms.

77. If the used trademark is one of the "Frogans" trademarks, it must be used as an adjective and be combined with one or more generic terms.

78. The used trademark must be clearly separated from the terms combined with it. For example, in order to separate the used trademark from a term, you may use a space, a separator character or a typographical change.

79. The trademark must be used without transformation or alteration. For example, the trademark must not be truncated or abbreviated.

80. The trademark must not be used in the possessive form in languages in which this form alters the trademark. The trademark must not be used as a verb. The trademark must not be used as a generic name/noun and in particular must not be used in the plural form.

81. In the Latin, Cyrillic and Greek writing systems, the "Frogans" trademarks must either be written entirely in uppercase characters, or the first character must be written in uppercase and all the following characters in lowercase. The "FSDL" trademark must be written entirely in uppercase. These rules only apply to derived digital identifiers if they support uppercase characters.

82. You acknowledge that you are solely responsible for the composition of the name or designation of your initiative or of your organization, as well as for the choice of derived digital identifiers, in particular with respect to third-party rights.

3.d. TRADEMARK NOTICE

83. When you use one of the "Frogans" trademarks or the "FSDL" trademark, you undertake to include in your credits, in a clear and obvious way, the following trademark notice in English:

[Trademark] is a trademark of the OP3FT. The use of this trademark is governed by the OP3FT Trademark Usage Policy, available at the following permanent URL
<https://www.frogans.org/en/resources/otup/access.html>

Depending on your use, you must replace *[Trademark]* by *Frogans*, a transcription of "Frogans" or *FSDL*.

84. Nevertheless, if you use a language other than English, you may translate the trademark notice into that language and include it in your credits instead of the English version.

For example, the French translation for the trademark notice is:

[Trademark] est une marque de l'OP3FT. L'utilisation de cette marque est régie par la Charte d'Utilisation des Marques de l'OP3FT, accessible à l'URL permanente suivante
<https://www.frogans.org/en/resources/otup/access.html>

4. USE OF THE FIGURATIVE TRADEMARK "FROGANS STAR" IN INITIATIVES IN CONNECTION WITH FROGANS ADDRESSES

85. This Part covers exclusively the figurative trademark "Frogans Star" defined in Section 1.b of this Policy, when this trademark is used in an initiative in connection with Frogans addresses.

86. The right to use the figurative trademark "Frogans Star" granted to you by the OP3FT under this Part is individual, worldwide, non-transferable and non-exclusive. This right of use is granted to you royalty-free and for an unlimited period.

87. The right to use the figurative trademark "Frogans Star" is granted to you provided that you comply with the provisions in Sections 4.a, 4.b, 4.c and 4.d of this Policy.

4.a. CONCERNED INITIATIVES

88. You may use the figurative trademark "Frogans Star" to illustrate an initiative you develop in connection with Frogans addresses, provided that your initiative relates to one of the uses of the Frogans technology provided for in the Frogans Technology User Policy. For example:

- if you are a Host of Frogans Sites, you may use the figurative trademark "Frogans Star" to illustrate hosting services you provide to Publishers of Frogans Sites;
- if you are an FCR Account Administrator, you may use the figurative trademark "Frogans Star" to illustrate your registration-management services for Frogans addresses and Frogans networks in the FCR, which you provide to Holders of Frogans Addresses or Frogans Networks;
- If you are an Indexer of Frogans Sites, you may use the figurative trademark "Frogans Star" to illustrate, for example, a Web page of links to Frogans sites, a directory of Frogans sites, a search engine for Frogans sites, or indexing or search engine optimization (SEO) services.

The Frogans Technology User Policy is published on the official Web site of the Frogans technology at the following permanent URL: <https://www.frogans.org/en/resources/ftup/access.html>.

4.b. TERMS OF USE

89. You may use the figurative trademark "Frogans Star" only if your initiative is in connection with this trademark, as presented in Section 1.b of this Policy.

90. Your use of the figurative trademark "Frogans Star" must not imply the existence of any partnership, sponsorship or affiliation with the OP3FT, or imply that the OP3FT supports your initiative.

91. Given that the right of use granted to you by the OP3FT for the figurative trademark "Frogans Star" is non-exclusive, you acknowledge and agree that the OP3FT authorizes the use of the same trademark by others, even if this trademark is used in an identical manner.

92. You undertake not to file a trademark application for a figurative trademark integrating the figurative trademark "Frogans Star".

93. You undertake not to associate the figurative trademark "Frogans Star" with any content or activity:

- which the OP3FT may deem misleading, unfair, defamatory, insulting, unlawful, derogatory, obscene or offensive; or
- in violation of the laws in force in your country.

94. Only the OP3FT has standing to take legal action and to defend its trademarks. You expressly undertake to inform the OP3FT without delay of any legal or extrajudicial action against you with respect to the figurative trademark "Frogans Star" for which the OP3FT has granted you a right of use.

95. In order to ensure the effective application of the provisions set forth in this Policy, the OP3FT reserves the right to control the use made of its trademarks. As such, you undertake to respond without delay to any question from the OP3FT.

96. Failure to comply with any of the provisions in this Policy will result in the termination of your right to use the figurative trademark "Frogans Star". This termination does not exclude the possibility of legal action by the OP3FT, third parties or public authorities.

4.c. INTEGRATION RULES

97. You must follow the integration rules presented in this Section when you use the figurative trademark "Frogans Star" to illustrate your initiative.

98. You may integrate the figurative trademark "Frogans Star" in all your online or offline communication media.

99. You may integrate the figurative trademark "Frogans Star" alone, or combine it with other graphic elements, giving it a size you desire.

100. You may change the color and texture of the figurative trademark "Frogans Star".

101. You must not change the proportions of the figurative trademark "Frogans Star", or truncate it.

102. You may integrate the figurative trademark "Frogans Star" in a string of characters that resembles a Frogans address or a Frogans network, but only in the case where this Frogans address or this Frogans network is indeed registered, to avoid any confusion.

103. You may integrate the figurative trademark "Frogans Star" as many times as you desire, in one or more communication media.

104. You acknowledge that you are solely responsible for integrating the figurative trademark "Frogans Star", in particular with respect to third-party rights.

4.d. TRADEMARK NOTICE

105. When you use the figurative trademark "Frogans Star", you undertake to include in your credits, in a clear and obvious way, the following trademark notice in English:

The figurative trademark "Frogans Star" is a trademark of the OP3FT. The use of this trademark is governed by the OP3FT Trademark Usage Policy, available at the following permanent URL
<https://www.frogans.org/en/resources/otup/access.html>

106. Nevertheless, if you use a language other than English, you may translate the trademark notice into that language and include it in your credits instead of the English version.

For example, the French translation for the trademark notice is:

La marque figurative « Étoile Frogans » est une marque de l'OP3FT. L'utilisation de cette marque est régie par la Charte d'Utilisation des Marques de l'OP3FT, accessible à l'URL permanente suivante
<https://www.frogans.org/en/resources/otup/access.html>