« return | reply | reply all | forward | delete | delete completely | report | Mark ... | move ...

Re: Licensing and Trademark Use Consultation

From: evelyn.zhu@websoft9.com <evelyn.zhu@websoft9.com>
Time: Wednesday, Aug 12, 2020 4:23 PM
To: Brian Warner <bwarner@linuxfoundation.org>
Cc: Darren Chen (Websoft <delin.chen@websoft9.com>; Jianjun Zhou (Websof <jianjun.zhou@websoft9.com>

Translation Full Text

Hi Brian,

Thank you for all your assistance!

We truly appreciate your help. We would correct the name of the product into "Node v12.0.0" and add "Node.js is a trademark of Joyent, Inc." to the intellectual property statement. We are truly grateful for your help in making our use standard. If there is something else improper, please point out. We are always willing to take your advice.

Thank you again for everything you've done!

Best regards,
Evelyn

Evelyn
Operation Department - Websoft9 Inc.
https://en.websoft9.com/
evelyn.zhu@websoft9.com

---------- Original ----------

From: "Brian Warner"<bwarner@linuxfoundation.org>;
Date: Tue, Aug 11, 2020 11:30 AM
To: "evelyn.zhu"<evelyn.zhu@websoft9.com>;
Cc: "delin.chen(Websoft9)"<delin.chen@websoft9.com>; "jianjun.zhou(Websoft"<jianjun.zhou@websoft9.com>;
Subject: Re: Licensing and Trademark Use Consultation

Hi Evelyn,

If you're going to include the Node version, I'd use the same versioning scheme as the Node.js project itself uses. For example "Node v12.0.0" https://nodejs.org/en/blog/release/v12.0.0/

I would probably just go with "Node.js is a trademark of Joyent, Inc." You don't need to state that you're not endorsed, the main thing is to avoid anything that states you are endorsed.

Best,
Brian

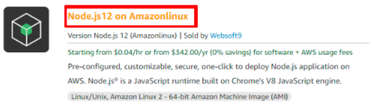
On Tue, Aug 11, 2020 3:02 AM, evelyn.zhu@websoft9.com evelyn.zhu@websoft9.com wrote:

Hi Brian,

Thanks for your reply!

We are so happy to hear from you! Thank you for giving the clear and detailed reply. We have learned the condition and still have two questions.

1) Regarding your answer to question 2 about trademark use, does it mean that it is permissible for us to use the word mark "Node.js" in the following way?



2) We have learned the trademark policy you mentioned. We will add the trademark ownership notice to the intellectual property statement in the product review as shown on below.

Intellectual Property Statement:
The stack of this offer includes a wide range copies of open source and free software, but the Copyrights, Patents and Trademarks are legal protections for original owner.
Take Node.js as an example:
- Node.js is a trademark of Joyent, Inc. and is used with its permission. We are not endorsed by or affiliated with Joyent (Is it the notice that we should include? Is it right to include the notice in this way?)
- The OpenJS Foundation also has a perpetual license to use the "Node.js" word trademark, the "node[hex]js" graphic trademark,The Node.js related trademarks are owned by Joyent, Inc., who acts as a steward for the Node.js word marks and logos.
- Node.js use the license: https://github.com/nodejs/node/blob/master/LICENSE.

Finally, thanks for your reminding. We will not modify the Node.js marks, or indicate that OpenJS or Node.js "approves" or "recommends" our product. If we have done something improper, please point out. We are willing to take your advice and make our use standard.
Thanks for your help again!

Best regards,
Evelyn

Evelyn
Operation Department - Websoft9 Inc.
https://en.websoft9.com/
evelyn.zhu@websoft9.com

---------- Original ----------

From: "Brian Warner"<bwarner@linuxfoundation.org>;
Date: Mon, Aug 10, 2020 11:15 PM
To: "evelyn.zhu"<evelyn.zhu@websoft9.com>;
Cc: "trademark"<trademark@nodejs.org>; "delin.chen(Websoft9)"<delin.chen@websoft9.com>; "jianjun.zhou(Websoft"<jianjun.zhou@websoft9.com>;
Subject: Re: Licensing and Trademark Use Consultation

Hi Evelyn,

Thank you for your comprehensive email, it is always very nice when companies put this much thought into this. I'd be happy to help answer your questions.

1) Yes, you can package Node.js for distribution, so long as you maintain the licenses and notices that are distributed with the product. In other words, please stay in compliance with the terms of the open source license.
2) The images look fine. We ask that people include the trademark ownership notice on the most prominent use of the mark, which is described on page 2 of https://trademark-policy.openjsf.org
3) Yes, it is fine to charge users for this sort of thing.

There are a few common questions which aren't in your original email, so I will address them to be sure you're aware. Please don't modify the Node.js marks, or indicate that OpenJS or Node.js "approves" or "recommends" your product. And finally, if there are any situations not covered by this email, you can likely find answers at https://trademark-policy.openjsf.org

Thanks and good luck,
Brian

On Mon, Aug 10, 2020 12:49 AM, evelyn.zhu@websoft9.com evelyn.zhu@websoft9.com wrote:

Dear Sir or Madam,

I am a business assistant from Websoft9. I am very glad to contact you on behalf of our company. We are writing to consult you on questions regarding licensing and Node.js trademark use.

Websoft9 is an open source software company that focuses on automatic installation and deployment of cloud application software. We sort out high-quality open source software, package it with runtime into image without any change to source code, release source code for image on Github, and then distribute the image on Major Cloud, so as to provide one-click use for global users. So far, our image on Major Cloud have accounted for as much as 1,000 installed capacity per day and our products have received more than 20,000 daily views. Here is the link to the image of Node.js 12 on Amazonlinux in AWS marketplace for you to get information clearly.

Node.js® is a JavaScript runtime built on Chrome's V8 JavaScript engine. It is a great and popular software and is licensed for use as following: Permission is hereby granted, free of charge, to any person obtaining a copy of this software and associated documentation files (the "Software"), to deal in the Software without restriction, including without limitation the
rights to use, copy, modify, merge, publish, distribute, sublicense, and/or sell copies of the Software, and to permit persons to whom the Software is furnished to do so. As mentioned in the license, it grants the rights to copy and distribute copies. Our product contains Node.js. Hence, we are writing to confirm that under the license, it is permissible for us to do the following:

1. To package Node.js with runtime into image and distribute the image on Major Cloud.
2. To retain your word mark on the product we distribute. When we distribute the image, we are redistributing unmodified source code for Node.js and we are not changing the quality and nature of Node.js software. Hence, we may retain your word mark to describe and identify the work in the following way. Meanwhile, we make intellectual property statement about the product in order not to make users confused about the copyright, trademark attribution of Node.js. All as shown on the following pictures:

No1.pngimage.png

3. To charge certain fees only for developing image and providing users with professional service and support.

We hope to get your clear reply on whether we are allowed to do the above three things under the license. We highly respect your intellectual property. We'd like to make sure that our use is standard. If, unfortunately, there is some misunderstanding about the license or any improper use of the software and trademark, please inform us. We will correct it according to your request as soon as possible and get relevant approval.

We are looking forward to your early reply. Hope to establish partnership with you!

Best regards,
Evelyn

Evelyn
Operation Department - Websoft9 Inc.
https://en.websoft9.com/
evelyn.zhu@websoft9.com

--
To unsubscribe from this group and stop receiving emails from it, send an email to trademark+unsubscribe@nodejs.org.

Brian Warner
The Linux Foundation
bwarner@linuxfoundation.org
+1 724 301-6171

Brian Warner
The Linux Foundation
bwarner@linuxfoundation.org
+1 724 301-6171

Quick reply to all...