

**Re: Licensing and Trademark Use Inquiry**

发件人: Evelyn Zhu&lt;evelyn.zhu@websoft9.com&gt;

时 间: 2020年10月10日(星期六) 上午10:59

收件人: Rachael McClure&lt;rachael.mcclure@mongodb.com&gt;

抄 送: Darren Chen (Websoft9)&lt;delin.chen@websoft9.com&gt;; Jianjun Zhou (Websoft9)&lt;jianjun.zhou@websoft9.com&gt;; Zahir Abdelouhab&lt;zahir@mongodb.com&gt;

Hi Rachael,

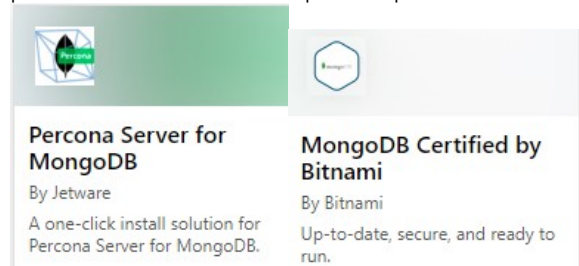
Thanks for your prompt reply.

I'm a bit confused about the definition of services related to MongoDB products. VM image provides a one-click install solution for MongoDB, which can help users have a quick installation and use for MongoDB. If it can't be regarded as the type of service related to MongoDB products, I'm not sure how to define the product we provided. I'd appreciate it if you can give some suggestion about how to define and name this product.

## Services Related to MongoDB Products

If you offer services related to MongoDB software, you may use "MongoDB" in describing and advertising your services, so long as you don't violate these Trademark Standards or do anything else that might mislead customers into thinking that MongoDB has a relationship with your organization or services. For example, it is OK if you describe, "services for MongoDB" (as long as it's true!). But it is not OK if you say, "MongoDB training services sold here," since that is confusing as to who (you or MongoDB) is offering the training. When in doubt, please err on the side of providing more, rather than less, explanation and information. And your name and logo should always be more prominent than ours!

Besides, as you mention that you generally do not condone or grant specific permissions to use MongoDB trademarks in instances like this. I find MongoDB products and services that other providers provide on Azure.



It seems that they use logo and MongoDB trademark with permission. I'm wondering whether they're partners of MongoDB or they've taken other actions to gain the permission for trademark usage. As intellectual property compliance is our primary principle, I'm finding ways to make the word mark usage compliant. It would be great if we could gain the permission to use trademark by following their practices. I'd appreciate a lot if you can give some hints on this.

Thanks a lot in advance!

Evelyn

Legal Affairs - Websoft9 Inc.

<https://en.websoft9.com/>[evelyn.zhu@websoft9.com](mailto:evelyn.zhu@websoft9.com)

----- Original -----

**From:** "Rachael McClure"<rachael.mcclure@mongodb.com>;**Date:** Sat, Oct 10, 2020 01:20 AM**To:** "Evelyn Zhu"<evelyn.zhu@websoft9.com>;**Cc:** "Darren Chen (Websoft)"<delin.chen@websoft9.com>; "Jianjun Zhou (Websoft)"<jianjun.zhou@websoft9.com>; "Zahir Abdelouhab"<zahir@mongodb.com>;**Subject:** Re: Licensing and Trademark Use Inquiry

Hi Evelyn,

Thanks for following up. We generally do not condone or grant specific permissions to use our trademarks in instances like this. We publish our Trademark Standards for Use so that you can decide whether your usage complies. However, we don't view the provision of a VM image as the type of service related to MongoDB products that is addressed in the excerpt you provided.

Best,  
Rachael

```
{ name : "Rachael McClure",  
  title : "Product Counsel",  
  phone : "646-634-7061",  
  location : "New York, NY" }
```

On Oct 9, 2020, at 9:06 AM, Evelyn Zhu <[evelyn.zhu@websoft9.com](mailto:evelyn.zhu@websoft9.com)> wrote:

Hi Rachael,

We're going to modify the product name. To follow your Trademark Usage Guidelines, we've carefully viewed the policy and find this terms. It seems it's allowed to describe services related to MongoDB products as "services for MongoDB". As we're offering VM image for MongoDB, is it allowed for us to change the product name into "**VM image for MongoDB on Ubuntu**"?

Besides, we find MongoDB products and services that other providers provide on Azure. The following are two examples. It seems that they use logo and MongoDB trademark with permission. We're wondering whether they're partners of MongoDB or they've taken other actions to gain the permission for trademark usage. It would be great if we could gain the permission by following their practices. We sincerely hope to establish partnership with you!

Looking forward to hearing from you.

Very best regards,

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Evelyn

Business Development & Legal Affairs - Websoft9 Inc.

<https://en.websoft9.com/>

[evelyn.zhu@websoft9.com](mailto:evelyn.zhu@websoft9.com)

----- Original -----

**From:** "Rachael McClure" <[rachael.mcclure@mongodb.com](mailto:rachael.mcclure@mongodb.com)>;

**Date:** Fri, Oct 2, 2020 09:54 PM

**To:** "evelyn.zhu" <[evelyn.zhu@websoft9.com](mailto:evelyn.zhu@websoft9.com)>;

**Cc:** "Darren Chen (Websoft)" <[delin.chen@websoft9.com](mailto:delin.chen@websoft9.com)>; "Jianjun Zhou (Websoft)" <[jianjun.zhou@websoft9.com](mailto:jianjun.zhou@websoft9.com)>; "Zahir Abdelouhab" <[zahir@mongodb.com](mailto:zahir@mongodb.com)>;

**Subject:** Re: Licensing and Trademark Use Inquiry

Hi Evelyn,

Unfortunately we cannot agree to your request. As noted in Item 1 of our [Trademark Usage Guidelines](#), our trademarks (including MongoDB) may not be applied to products or services provided by anyone else.

Best,  
Rachael

```
{ name : "Rachael McClure",  
  title : "Product Counsel",  
  phone : "646-634-7061",  
  location : "New York, NY" }
```

On Sep 24, 2020, at 10:55 AM, [evelyn.zhu@websoft9.com](mailto:evelyn.zhu@websoft9.com) wrote:

Hi Rachael,

I'm Evelyn from Websoft9 Inc. We've received your reply about MongoDB word mark usage and we pay great attention to this matter.

Last year, we received a complaint regarding this offer on Azure from you and we modified it asap. We only retain "MongoDB" in the title of this offer to refer to the unmodified MongoDB community, as shown below. As we haven't received a second complaint, it seems our modifications are sufficient. However, we are still uncertain about this word mark usage, so recently we have contacted MongoDB for permission about this usage.

As you worried that our message on AWS Marketplace could be confusing and ask us to remove all usage of the name, we shall follow your requirement. We'd directly mention our name, so users may understand that we're not MongoDB, Inc.

1) We'd change the title into "**MongoDB community Server 4.0 on Ubuntu Powered by Websoft9**". Is this usage permissible?

2) Besides, to prevent confusion amongst people as to which is the "official" one, we make statement about the ownership and the license, so that people might not confuse it for an official project or think we create and own MongoDB community.

We highly respect your IP and would try to make our offer compliant. We'd appreciate it if you could give some advice about our modification. If you have any other requirements about the modification, please let me know.

Thanks a lot!

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Evelyn

Business Development & Legal Affairs - Websoft9 Inc.

<https://en.websoft9.com/>

[evelyn.zhu@websoft9.com](mailto:evelyn.zhu@websoft9.com)

----- Original -----

**From:** "Zahir Abdelouhab"<[zahir.abdelouhab@mongodb.com](mailto:zahir.abdelouhab@mongodb.com)>;

**Date:** Thu, Sep 24, 2020 01:39 AM

**To:** "evelyn.zhu"<[evelyn.zhu@websoft9.com](mailto:evelyn.zhu@websoft9.com)>; "delin.chen(Websoft9)"<[delin.chen@websoft9.com](mailto:delin.chen@websoft9.com)>; "jianjun.zhou(Websoft9)"<[jianjun.zhou@websoft9.com](mailto:jianjun.zhou@websoft9.com)>;

**Cc:** "Rachael McClure"<[rachael.mcclure@mongodb.com](mailto:rachael.mcclure@mongodb.com)>; "Zahir Abdelouhab"<[zahir@mongodb.com](mailto:zahir@mongodb.com)>;

**Subject:** Re: Licensing and Trademark Use Inquiry

Dear all,

Thank you for your query, we really appreciate that you are asking for authorization.

We reviewed carefully your request internally and unfortunately we won't be in a position to allow you to use our Trademark.

Your message on Azure Marketplace could be confusing for our end-user who might think that you are MongoDB, Inc.

Therefore, I would ask you to remove all usage of our name and logo on this webpage.

Thank you,

Zahir

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<91A57323@948E3165.185F6C5F>

**Zahir Abdelouhab**

Senior Director

WW Cloud Strategy & Development

+33 7 86 10 70 33

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**From:** <[trademark@10gen.com](mailto:trademark@10gen.com)> on behalf of Evelyn <[evelyn.zhu@websoft9.com](mailto:evelyn.zhu@websoft9.com)>

**Date:** Tuesday, August 4, 2020 at 2:27 AM

**To:** trademark <[trademark@mongodb.com](mailto:trademark@mongodb.com)>

**Cc:** 网久 谏总 <[delin.chen@websoft9.com](mailto:delin.chen@websoft9.com)>, 网久 周总 <[jianjun.zhou@websoft9.com](mailto:jianjun.zhou@websoft9.com)>

**Subject:** Licensing and Trademark Use Inquiry

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 use of MongoDB trademark.

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 the image on [Github](#), and then distribute it 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 image of MongoDB Community Server on AWS marketplace for you to get information clearly.

MongoDB is a great and popular document database designed for ease of development and scaling. MongoDB Community is the source available and free to use edition of MongoDB. It is licensed under the Server Side Public License and GNU AGPL License for different versions. Users are free to review, modify, and distribute the software. The image we provide contains MongoDB Community Server. Hence, we are writing to confirm that according to the license, it is permissible for us to do the following:

1. To package MongoDB Community Server with runtime into image and distribute the image on Major Cloud. We have released the source code for the image on Github.
2. When we distribute it, we may use your word mark to describe the work and we make intellectual property statement about the product in order not to make users confused, as shown below.
3. To charge certain fees for developing image and providing users with professional service and support.

We highly respect your intellectual property rights. We'd like to make sure that our use is standard. Is it permissible for us to do the above three things under the license? We are eagerly waiting for your reply. We hope to get the positive answer, YES. But if, unfortunately, there is some misunderstanding or improper use, please inform us. We will correct it according to your request as soon as possible and get relevant permission to make it proper and permissible. Hope to establish partnership with you!

We are looking forward to your early reply.

Best regards,

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Evelyn  
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