

Trademark Law Does Not Require Companies To Tirelessly Censor the Internet

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Over the past few days, EFF and one of our staff technologists, the talented Micah Lee, have had an illuminating back and forth with Canonical Ltd over the use of the Ubuntu mark. While we don't believe that Canonical has acted with malice or intent to censor, its silly invocation of trademark law is disturbing. After all, not everyone has easy recourse to lawyers and the ability to push back.

That matters, because Canonical's actions reflect a much bigger problem: a pervasive and unfounded belief that if you don't police every unauthorized use of a trademark you are in danger of losing it. We hope that some clarity on this point might help companies step back from wasteful and censorious trademark enforcement.

First, some background. This particular story begins in 2012, when Canonical made the disappointing and widely criticized decision to integrate Amazon results into searches conducted through Ubuntu's desktop dash (this meant that a user searching for one of her own files would receive results from Amazon). At the time, we argued that this default setting raised significant privacy concerns. A few weeks ago, Micah published a web site² at <https://fixubuntu.com> that provided users with code to disable this privacy-invasive feature.

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[Ubuntu](#)

Source URL: <http://www.tuxmachines.org/node/61680>

Links:

[1] <http://www.tuxmachines.org/taxonomy/term/121>

[2] <https://www.eff.org/deeplinks/2013/11/trademark-law-does-not-require-companies-tirelessly-censor-internet>