

ESTTA Tracking number: **ESTTA1096160**

Filing date: **11/18/2020**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.

Petitioner Information

Name	Upwork Inc.		
Entity	Corporation	Citizenship	Delaware
Address	2625 AUGUSTINE DRIVE SUITE 601 SANTA CLARA, CA 95054 UNITED STATES		
Attorney information	BRIAN J. FOCARINO COOLEY LLP 1299 PENNSYLVANIA AVENUE, N.W. SUITE 700 WASHINGTON, DC 20004 UNITED STATES Primary Email: trademarks@cooley.com Secondary Email(s): bfocarino@cooley.com, bghajar@cooley.com, jalvarezlopez@cooley.com No phone number provided.		
Docket Number			

Registration Subject to Cancellation

Registration No.	4284314	Registration date	02/05/2013
Registrant	Freelancer Technology Pty Limited LEVEL 20, 680 GEORGE STREET SYDNEY, NSW, 2000 AUSTRALIA		

Goods/Services Subject to Cancellation

Class 009. First Use: 2009/12/04 First Use In Commerce: 2009/12/04

All goods and services in the class are subject to cancellation, namely: Downloadable computer software for use in website authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, playing, storing and organizing text, data, images, audio files, and video files; computer software for personal information management; computer software for use in recording, organizing, transmitting, manipulating, and reviewing text, data, audio files, and video files in connection with computers, television set-top boxes, music players, video players, media players, cellular phones, and portable and handheld digital electronic devices; computer software for accessing, browsing and searching online databases; computer software to enable users to program and distribute audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, cultural events, and entertainment-related and educational programs via communications networks; computer software for identifying, locating, grouping, distributing, and managing data and links between computer servers and users connected to electronic communications networks

Class 035. First Use: 2009/12/04 First Use In Commerce: 2009/12/04 All goods and services in the class are subject to cancellation, namely: Online retail store services featuring computer software
Class 036. First Use: 2009/12/04 First Use In Commerce: 2009/12/04 All goods and services in the class are subject to cancellation, namely: Electronic payment services, namely, processing electronic funds transfer, credit card, debit card, electronic check and electronic payments via an electronic communications network; electronic fundstransfer services; online escrow service for payment of services
Class 045. First Use: 2009/12/04 First Use In Commerce: 2009/12/04 All goods and services in the class are subject to cancellation, namely: Dispute resolution services; Identification verification services, namely, providing authentication of personal identification information; online social networking services

Grounds for Cancellation

The mark is or has become generic	Trademark Act Section 14(3), or Section 23 if on Supplemental Register
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)

Related Proceedings	Freelancer v. Upwork - United States District Court for the Northern District of California (Case No. 5:20-cv-6132)
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Attachments	Upwork Petition to Cancel.pdf(789141 bytes) Upwork Petition to Cancel Exhibits.pdf(6094404 bytes)
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Signature	/Brian J. Focarino/
Name	Brian J. Focarino
Date	11/18/2020

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 4,284,314
For the Trademark FREELANCER
Registered on February 5, 2013

UPWORK INC.,)	
)	
Petitioner,)	
)	Cancellation No.
v.)	
)	
FREELANCER TECHNOLOGY PTY LIMITED,)	
)	
Registrant.)	
<hr/>		

PETITION FOR CANCELLATION

Petitioner Upwork Inc. (“Upwork”), a Delaware corporation having its registered office at 2625 Augustine Drive, Suite 601, Santa Clara, California 95054, will be damaged by the continued registration of the mark FREELANCER (the “FREELANCER Mark”), which is the subject of Registration No. 4,284,314 issued on February 5, 2013 (the “Registration”), owned by Freelancer Technology Pty Limited, an Australian limited liability company with an address of record at 680 George Street, Level 20, Sydney, NSW Australia 2000 (“Registrant”). Upwork hereby petitions to cancel the Registration pursuant to Section 14 of the Trademark Act of 1947, 15 U.S.C. § 1064.

As grounds for cancellation, Upwork alleges as follows.

Upwork & its Platform for Freelancers

1. Upwork, through its wholly owned subsidiaries, provides a platform under the registered trademark UPWORK® by which freelancers looking for projects and clients with projects for freelancers can connect and complete payment for services, via its website at upwork.com and via its mobile apps available in the iOS and Android app stores.

2. Upwork is the successor to two of the earliest successful freelancer marketplaces, oDesk and Elance, which combined in 2014 and rebranded as Upwork in 2015. Elance – its own name derived from “freelancer” – was founded in 1998, while oDesk was founded in 2003.

3. Upwork’s predecessors, oDesk and Elance, used “freelancer” to refer to freelance workers since long before Registrant was founded in 2009 or claimed first use of the word as a trademark on December 4, 2009, as part of its Registration for FREELANCER.

4. Upwork has used “freelance” and “freelancer” as generic terms since the date of its launch on May 5, 2015, when it announced itself as “a new freelance talent platform” that would make “it much easier to hire a proven, high quality freelancer quickly.”

5. Upwork and its platform for freelancers have received consistent unsolicited press attention since its launch in 2015, with articles consistently using the term “freelancer” in a generic sense to refer to Upwork’s software offerings. True and correct examples of such unsolicited press references are attached hereto as Exhibit 1.

Registrant Freelancer Technology Pty Limited

6. Upon information and belief, Registrant operates a “freelancing and crowdsourcing marketplace” which it claims connects millions of “employers and freelancers globally. Through [Registrant’s] marketplace, employers can hire freelancers to do work in areas such as software development, writing, data entry and design right through to engineering, the sciences, sales and marketing, accounting and legal services.” True and correct screenshots from Registrant’s “Company Overview” page on its website are attached hereto as Exhibit 2.

7. Upon information and belief, Registrant offers mobile applications for both iOS and Android operating systems titled “Freelancer” which allows its users to “[c]reate new projects, find freelancers, and collaborate with contacts on the go.” Businesses looking to hire freelance

talent can use the app to “[f]ind freelancers and get your project started on your mobile device” and “[c]ommunicate with your freelancers and stay up-to-date wherever you are.” True and correct screenshots from Registrant’s “Mobile” page on its website are attached hereto as Exhibit 3.

8. Registrant has consistently used the term “freelancer” in a generic sense to refer to Registrant’s various offerings, including its downloadable software offerings. True and correct examples are attached hereto as Exhibit 4.

The Registration & the Purported “FREELANCER” Trademark

9. Upon information and belief, Registrant first applied to register the term “Freelancer” on March 3, 2010, which was assigned U.S. App. Serial No. 77/949,217 (the “FREELANCER Application”) on an intent-to-use basis in connection with a variety of goods and services in International Classes 9, 35, 36, 38, 42, and 45. A true and correct copy of the U.S. App. Serial No. 77/949,217 application is attached hereto as Exhibit 5.

10. By that point, and upon information and belief based on claims made by Registrant in its filings with the USPTO, Registrant alleged that it had already begun to use the term “Freelancer” in U.S. commerce in connection with, among other things, downloadable and non-downloadable computer software as of December 4, 2009. A true and correct copy of Registrant’s Amendment to Allege Use filed in connection with the Registration on July 20, 2012 is attached hereto as Exhibit 6.

11. Upon information and belief, at the time the FREELANCER Application was filed, Registrant intended to use the term “freelancer” in connection with downloadable and non-downloadable software, payment processing software, and other services that enabled freelancers to work as well as facilitate the offering and seeking of job opportunities.

12. Accordingly, the FREELANCER “mark” referred to the common or class name for

Registrant's goods or services, *i.e.*, software and other offerings for use by and in connection with freelancers.

13. On December 23, 2010, the USPTO Examining Attorney assigned to review the FREELANCER Application issued an office action provisionally refusing to register the term "Freelancer" in all six applied-for Classes under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1), stating:

"[a]ll of the foregoing services appear, based on the evidence provided from the applicant's own website, to be directed towards Freelancers, defined as 'someone who is not permanently employed by a particular company, but sells their services to more than one company' ... [t]herefore, the mark **FREELANCER**, as applied to the identified goods and services, merely describes a feature of applicant's goods and services, namely, that the goods and services provided by the applicant are solely for the purpose of enabling freelancers to work with potential employers as well as facilitate the offering and seeking of job opportunities." (emphasis added).

A true and correct copy of the December 23, 2010 office action is attached hereto as Exhibit 7.

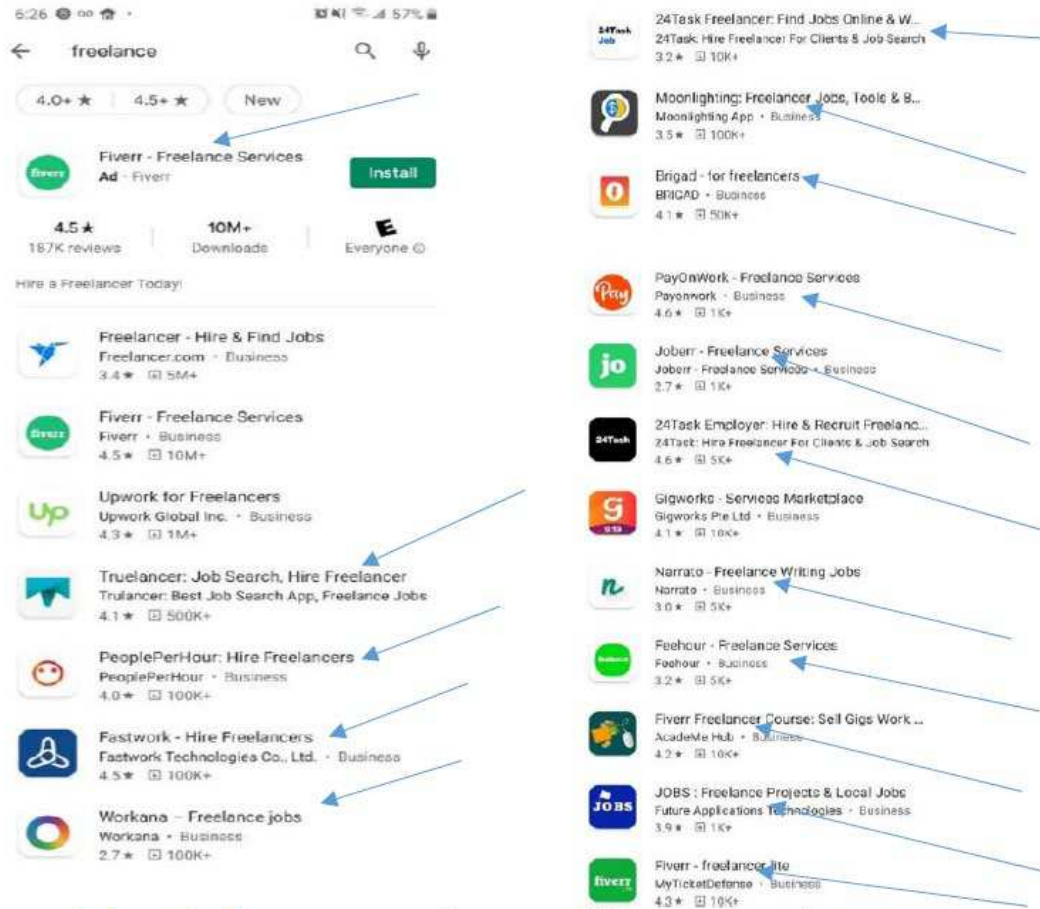
14. On January 31, 2012, the USPTO Examining Attorney issued a further office action in connection with the FREELANCER Application, provisionally refusing registration based on lack of distinctiveness. A true and correct copy of the January 31, 2012 office action is attached hereto as Exhibit 8.

15. On July 25, 2012, Registrant, unable to obtain a registration on the Principal Register for "Freelancer" in connection with all of its applied-for goods and services, filed a request to divide the FREELANCER Application into a parent application covering Classes 9, certain services in Class 35, Class 36, and Class 45 for the Principal Register (the "Parent

FREELANCER Application”), and a child application covering certain services in Class 35, and all services in Classes 38 and 42 for the Supplemental Register (the “Child FREELANCER Application”). Registrant also filed a response to the outstanding office action confirming the same. A true and correct copy of Registrant’s request to divide and response to office action are attached hereto as Exhibits 9 and 10, respectively.

16. According to PTO records, on February 5, 2013, the Parent FREELANCER Application matured to Registration No. 4,284,314.

17. Upon information and belief, the term “freelancer” does not function as a trademark or product source identifier of a single company. For example, “freelancer” is a dictionary term used by numerous others in the freelance industry, including in the name and description of mobile applications. In fact, searching the word “freelance” or “freelancer” in the Apple App Store (for iOS devices) or Google Play store (for Android devices) returns numerous apps providing services to freelancers, including competitors of Upwork and Registrant such as Fiverr, Instawork, Wonolo, and Gigwalk, demonstrating the ubiquitous nature of the term. The listings for each of these apps uses the word “freelancer” or “freelance” in a generic sense to designate a type of software, as shown in part in the screenshot below.



(Showing Third Party Use of Term “Freelancer” with Software for Freelancers. Source: Google Play Store)

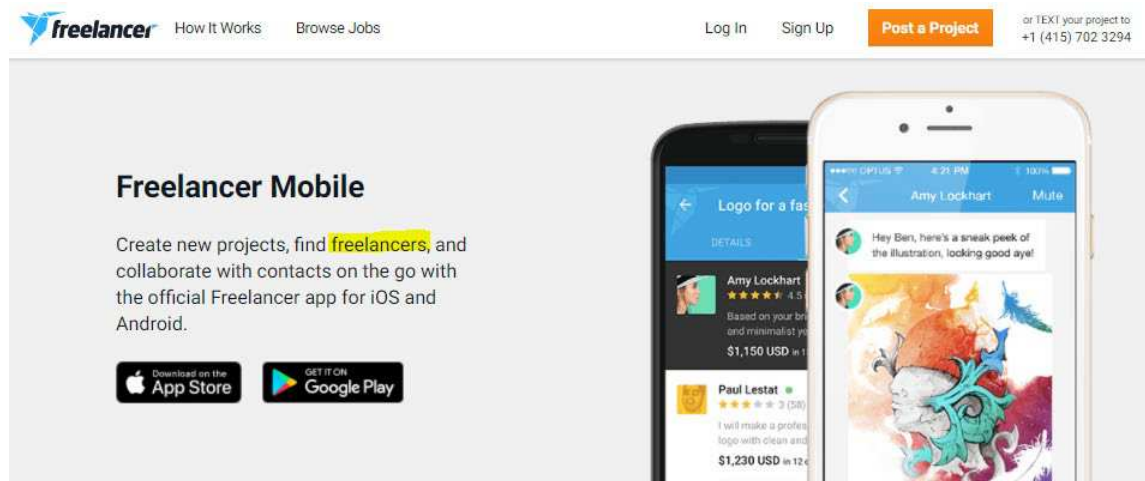
18. Upon information and belief, thousands of news articles over the past decade-plus use “freelancer” in the headline or body of the text when discussing goods and services pertaining to freelancers. True and correct copies of several such articles using the generic term “freelancer” in the context of computer software and/or payment platforms are attached hereto as Exhibit 9.

19. The term “freelancer” is so standardized as an industry term that the USPTO includes it in its approved language for identification of goods and services. A true and correct copy of the USPTO’s ID Manual is attached hereto as Exhibit 10 and reproduced below.

uspto UNITED STATES PATENT AND TRADEMARK OFFICE						
freelancer						
Displaying all of 5 records for freelancer Search By All Status A, M, X, D NCL 11-2020 Search Fields Description						
Sort By Relevance Then By (none)						
Term ID	Class	Description	Status	Effective Date	Type	Notes
035-2611	035	Business management for freelance service providers	A	01/01/2014	SERVICES	
036-747	036	Incubation services, namely, providing financing to freelancers , start-ups, existing businesses and non-profits	A	05/14/2009	SERVICES	
036-748	036	Incubation services, namely, rental of office space to freelancers , start-ups, existing businesses and non-profits	A	05/14/2009	SERVICES	
035-1617	035	Business support services, namely, business consulting to freelancers , start-ups, existing businesses and non-profit organizations	A	05/14/2009	SERVICES	
035-1613	035	Incubation services, namely, providing work space containing business equipment to freelancers , start-ups, existing businesses and non-profits	A	05/14/2009	SERVICES	

(Source: USPTO Trademark ID Manual, located at <https://idm-tmng.uspto.gov/id-master-list-public.html>)

20. Registrant's own website is replete with generic uses of "freelancer" to discuss Registrant's target audience, as shown below.



Just give us the details about the work you need completed, and our **freelancers** will get it done faster, better, and cheaper than you could possibly imagine. This includes:



Small jobs, large jobs,
anything in between



Jobs that are on fixed price,
or hourly terms



Work that requires specific
skill sets, costs, or
scheduling requirements.

Nikos P.
EMPLOYER

How does it work?

1 Post a project
It's always free to post your project. You'll automatically begin to receive bids from our **freelancers**. Alternatively, you can browse through the talent available on our site, and make a direct offer to a **freelancer** instead.

2 Choose the perfect **freelancer**

- Browse **freelancer** profiles
- Chat in real-time
- Compare proposals and select the best one
- Award your project and your **freelancer** goes to work

(Excerpts from Registrant's website at www.freelancer.com)

21. Recent articles, including the May 2020 article below from *Entrepreneur* Magazine, highlight numerous apps that are helpful to freelancers.

FREELANCERS

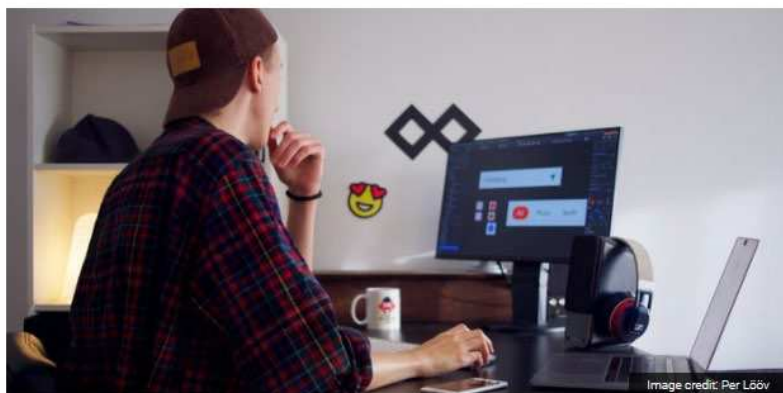
10 Apps on Sale for Memorial Day That Every Freelancer Needs

Run your own **freelancing** business? These apps can make your life easier.



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May 25, 2020

4 min read

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22. Notwithstanding the common understanding of “freelancer” as a ubiquitous industry term in the mobile app, online retail store, electronic payment, and online social networking industries, Registrant maintains that the Registration is valid and that Registrant owns exclusive rights to the term “FREELANCER” in connection with such offerings. As discussed below, Registrant has even gone so far as to sue Upwork for using the term “freelancer” to identify its downloadable software offerings for freelancers, as distinguished from its downloadable software offerings for clients (for which Upwork uses the term “client”).

Registrant's Anti-Competitive Lawsuit Against Upwork

23. On August 31, 2020, Registrant sued Upwork in the United States District Court for the Northern District of California (Case No. 5:20-cv-6132) alleging, among other things, federal trademark infringement under 15 U.S.C. §§ 1114 and 1125 based on Registration No. 4,428,314.

24. In its Complaint, unable to even describe its business without making generic reference to the term, Registrant states it “provide[s] one of the world’s largest *freelancing* and crowd-sourcing marketplaces” (emphasis added).

25. Registrant’s lawsuit against Upwork is based on its purported trademark rights in the term FREELANCER and relies almost exclusively on the ‘314 Registration. That lawsuit amounts to nothing more than an improper attempt to stifle competition by monopolizing and weaponizing a common term well-understood and oft used in the industry as generic.

26. Petitioner’s position is informed by its review of Registrant’s current and previous use of the FREELANCER Mark, including, for example, a search of Registrant’s website, the Google Play Store, the Apple App Store, Facebook, the Internet Archive Wayback Machine (a leading third-party archive of historical website captures available online at <https://archive.org>), and App Annie (an app analytics website located at www.appannie.com).

FIRST GROUND FOR CANCELLATION

THE REGISTRATION SHOULD BE CANCELLED BECAUSE “FREELANCER” IS GENERIC.

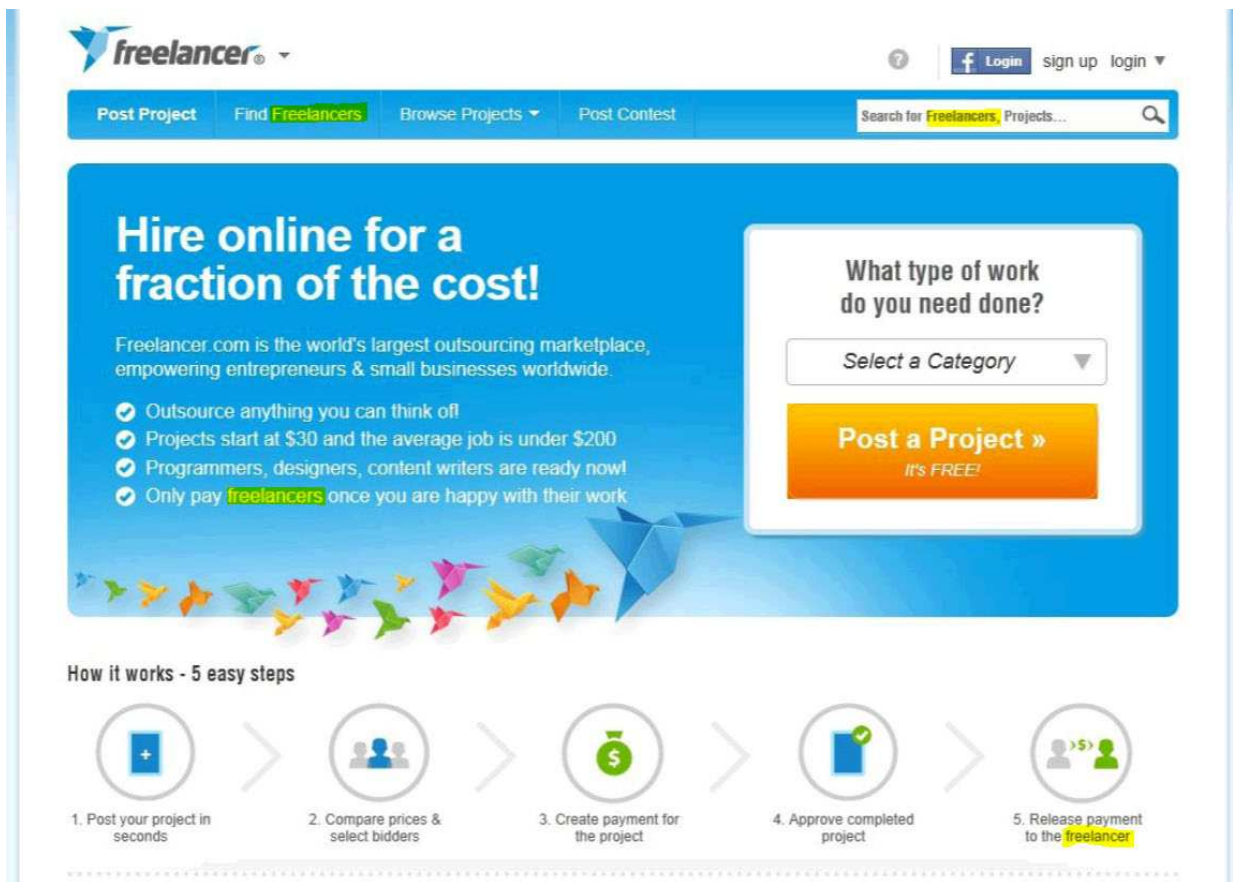
27. Upwork incorporates by reference Paragraphs 1 through 26, inclusive as if fully set forth herein.

28. The Trademark Trial and Appeal Board recognizes a two-part test for genericness: (1) what is the genus of goods or services at issue; and (2) does the relevant public understand the designation primarily to refer to that genus of goods and services. *H. Marvin Ginn Corp. v. Int’l Assn. of Fire Chiefs, Inc.*, 782 F.2d 987, 228 USPQ 528, 530 (Fed. Cir. 1986).

29. Upon information and belief, Registrant has used the purported FREELANCER mark in connection with mobile apps and crowd-sourcing marketplace offerings that are expressly designed for freelancers.

30. Upon information and belief, Registrant uses the term “freelancer” and variations (e.g., “freelancing”) to identify the industry and associated individuals.

31. Upon information and belief, the following image was used by Registrant as a specimen of use in 2012 with the original FREELANCER Application:



32. Similarly, upon information and belief, the following image was used by Registrant in 2018 as part of its specimen in connection with the filing of its Combined Declaration of Use and Incontestability under Sections 8 & 15 for the Registration:

Hire expert **freelancers** for any job, online

Millions of small businesses use Freelancer to turn their ideas into reality.

I want to Hire

I want to Work

NASA designed robotic arm components from **\$50**

Need work done?

It's easy. Simply post a job you need completed and receive competitive bids from **freelancers** within minutes.

Whatever your needs, there will be a **freelancer** to get it done: from web design, mobile app development, virtual assistants, product manufacturing, and graphic design (and a whole lot more).

With secure payments and thousands of reviewed professional to choose from, Freelancer.com is the simplest and safest way to get work done online.

What's great about it?

- ✓ You only have to pay for work when it has been completed and you're 100% satisfied.
- ✓ You'll receive free bids from our talented **freelancers** within seconds.
- ✓ We're always here to help. Our support consists of real people who are available 24/7.
- ✓ You can live chat with your **freelancers** to get constant updates on the progress of your work.

POST PROJECT

33. As shown in these and other documents and even Registrant's Complaint in its recent trademark litigation, Registrant does not even make a token effort to obscure the non-distinctive nature of the term "freelancer."

34. Upon information and belief, since well prior to the filing of the FREELANCER Application and Registrant's first use of the term "freelancer," numerous third party software developers, including Upwork's predecessors-in-interest, have used the term "freelancer" other than as a trademark to identify the common industry and class of consumers for such offerings.

35. Upon information and belief, the relevant purchasing public understands the word “freelancer” to be the common term or class name for a person who is self-employed and not necessarily committed to a particular employer long-term.

36. Accordingly, the term “freelancer” as used by Registrant is generic, cannot function as a source identifier, and therefore cannot be entitled to registration.

37. The Registration confers upon Registrant a presumption of Registrant’s exclusive right to use the purported FREELANCER mark, all to the detriment of Upwork and countless others in the software industry generally, and in the mobile app, e-commerce, payments, and online social networking industries in particular.

38. Registrant has asserted the Registration against Upwork in federal litigation, claiming trademark infringement among other allegations. *See Freelancer Technology Pty Limited et al. v. Upwork Inc. et al.*, Case No. 5:20-cv-06132 (U.S. District Court for the Northern District of California).

39. Accordingly, Upwork has been harmed and believes it will continue to be harmed by the continued registration of the purported FREELANCER mark in connection with the goods and services identified in the Registration.

40. Upon information and belief, the Registration will also interfere with the right of others in the mobile app and online employment marketplace industries to accurately identify the target user community – freelancers.

41. The Registration is therefore in violation of 15 U.S.C. §§ 1052 and 1064 because the term “freelancer” is the generic word for a platform for freelancers. Accordingly, the Board should cancel the Registration.

SECOND GROUND FOR CANCELLATION

REGISTRANT FRAUDULENTLY OBTAINED THE FREELANCER REGISTRATION.

42. Upwork incorporates by reference Paragraphs 1 through 41 inclusive as if fully set forth herein.

43. On or about March 3, 2010, Registrant applied to register the mark “FREELANCER” on an intent-to-use basis in Classes 9, 35, 36, 38, 42, and 45, which was assigned Serial No. 77/949,217.

44. On December 23, 2010 and again on January 31, 2012, the USPTO Examining Attorney issued office actions provisionally refusing registration for the mark “FREELANCER” pursuant to Trademark Act Section 2(e)(1), after determining that whenever the term “freelancer” is used in connection with offerings “for the purpose of enabling freelancers to work with potential employers as well as facilitate the offering and seeking of job opportunities,” it is merely descriptive. Links to these office actions from the Trademark Status & Document Retrieval (TSDR) database are available at <https://tsdr.uspto.gov/documentviewer?caseId=sn77983284&docId=OOA20120905104452#docIndex=31&page=1> (Dec. 23, 2010 office action) and <https://tsdr.uspto.gov/documentviewer?caseId=sn77983284&docId=OOA20120905104454#docIndex=29&page=1> (January 31, 2012 office action).

45. When the USPTO informed Registrant it could not register the FREELANCER mark on the Principal Register in connection with a variety of job seeking and job opportunity services due to descriptiveness, Registrant requested to divide its application, and eventually obtained Registration No. 4,284,314 on the Principal Register. That registration covers certain

goods and services in Classes 9, 35, 36, and 45, all presumably **not** relating to job opportunities or freelancers based on Registrant's response to the office action and its request to divide.

46. On information and belief, at the time Registrant requested to divide its application on July 25, 2012, Registrant was using the term "freelancer" in connection with goods and services in Classes 9, 35, 36, and 45 targeting freelancers, or otherwise "for the purpose of enabling freelancers to work with potential employers as well as facilitate the offering and seeking of job opportunities." In other words, Registrant was using "freelancer" **"solely for the purpose of enabling freelancers to work with potential employers as well as facilitate the offering and seeking of job opportunities"** (the basis of the PTO's objection to Registrant's trademark filing, *see* Exhibit 7).

47. On information and belief, prior to July 25, 2012, Registrant never used the term "freelancer" in connection with goods or services that were not "for the purpose of enabling freelancers to work with potential employers as well as facilitate the offering and seeking of job opportunities." *Id.*

48. On information and belief, Registrant failed to disclose material information concerning the goods and services in connection with which it was supposedly using the alleged FREELANCER mark in Classes 9, 35, 36, and 45, and made a knowing, material, and false misrepresentation of fact to USPTO in connection with its request to divide its application and response to office action.

49. On information and belief, these misrepresentations included the manner with which Registrant was using the alleged FREELANCER mark, concealing the purpose and functionality of the platform and software with which it was being used (to avoid a similar Section 2(e) refusal).

50. On further information and belief, the misrepresentations extended to misstating the dates of alleged first use of the term in U.S. commerce on the various goods and services in the '314 registration, and to the allegation that the purported trademark was, in fact, used in the U.S. on each and all of the listed goods and services in Classes 9, 35, 36, and 45 at the time Registrant filed proof of use with the USPTO.

51. On information and belief, Registrant knew that the foregoing representations were false and made them with the intent to deceive the USPTO – all in an effort to be able to tell the public that it “owned” FREELANCER as a trademark and to secure registration for the term on the Principal Register rather than the Supplemental Register in connection with various good and services.

52. On information and belief, Registrant knowingly made the foregoing false material representations to the USPTO in order to obtain the Registration.

53. On information and belief, the USPTO relied on those false representations in granting, and renewing, the Registration.

54. On information and belief, the USPTO would not have granted the Registration but for Registrant's foregoing false representations.

55. On information and belief, and upon the results of Petitioner's investigation, Registrant's actions in obtaining the Registration constitute fraud, thereby invalidating the Registration. Accordingly, the Registration should be cancelled in its entirety.

Wherefore, for all the foregoing reasons, Upwork prays that the Board sustain this Petition and cancel Registration No. 4,428,314.

Date: November 18, 2020

By: /Bobby A. Ghajar/
Bobby A. Ghajar, Esq.
Brian J. Focarino, Esq.
COOLEY LLP
1299 Pennsylvania Avenue, NW, Suite 700
Washington, D.C. 20004

Counsel for Petitioner

EXHIBIT 1

7,037 views | Jun 18, 2019, 07:32am EDT

Top Freelancers Are Doing Just Fine: A New Upwork Study



Jon Younger Contributor ⓘ

Careers

I write about the freelance revolution and the future workforce.



Getty GETTY

An interesting new research study came across my desk, and I thought readers would enjoy learning about it. The study describes a particular segment of the freelance community, what I'd call *top freelancers*.

The data are from the [Upwork Freelancing in America 2018 survey](#). Although the survey captured the views of 6001 working freelance and non-freelance professionals, the research team at [Edelman](#) and [Upwork](#) (in

partnership with the [Freelancers Union](#)) were particularly interested in feedback from the 536 freelancers in the survey data set who reported spending 25+ weekly hours freelancing and working in at least one of the following functional areas: *Accounting & Consulting, Admin Support, Arts & Entertainment, Customer Service, Data Science & Analytics, Design & Creative, Engineering & Architecture, Healthcare & Wellness, IT & Networking, Legal, Sales & Marketing, Translation, Web/Software Development, Writing, Education, Service*. In short, they are highly successful, full-time, freelancers working in many disciplines.

Here's what the [research](#) found:

Freelancing is a real and meaningful career alternative for ambitious professionals

Some believe that independent professionals will eventually return to traditional work relationships with an employer because freelancing will not provide an attractive career. However, new data shows that the majority of these top freelancers say they are satisfied with the work they're bringing in, and optimistic about the future of freelance work.

- 72% say they have the amount (or more) of work that they want.
- 92% expect work opportunities for freelancers will increase in the future.
- 90% believe the best days are ahead for freelancing.

As one top freelancer mentioned, "I receive multiple job requests every day, many of which are from well-known brands ... The volume and caliber of job invitations leads me and many others I know to believe that freelancing is here to stay."

Top Freelancers earn a very satisfactory income

A second concern about freelancing is the fear of a “race to the bottom on pay.” As online talent platforms proliferate, the worry is that competition will drive down the opportunity for freelancing to earn an acceptable income. According to Upwork’s data, however, the vast majority of top freelancers say they are paid well and fairly for the work that they do:

- Two-thirds (66%) say they earn more as a freelancer than they did at their job with a traditional employer.
- Of those earning more as a freelancer, 81% say it took them less than a year to earn this level of income.
- 82% say in the past year they’ve earned as much or more compared with others doing similar work.

One graphic design freelancer put it this way: "As a freelancer, I have more personal and financial freedom than I ever did working at a traditional job. In my first year on Upwork, I was able to triple my salary because I’m in complete control of my rates. This has enabled me to do things I didn’t think I’d be able to, like paying off our home loan early and maximizing our 401(k).”

Freelance stress and uncertainty is real but the benefits of a freelance career are compelling

It’s useful to remember that most freelancers are “solopreneurs” with many of the challenges associated with starting and running a business. While stress and managing uncertainty are always factors in business, the majority of top freelancers say that being in control of their own destiny and schedule improves their overall quality of life:

- 62% of freelancers started freelancing by choice (vs. necessity).
- 76% say that they feel happier freelancing than they felt in a traditional job.

- 78% say their freelance work allows them to live the lifestyle they want.
- 54% say there is no amount of money where they would definitely take a traditional job.

A top rated SEO freelancer said this about freelancing: “As a military wife, I’ve moved seven times in nine years but thankfully freelancing has brought stability and consistency to my life. I used to have to start over every time my family and I moved but today, my clients are with me wherever I go. I’m happier than I have ever been before and wouldn't trade this lifestyle for anything.”

Clearly, not all freelancers are as successful as the top freelancers in the Upwork and [Freelancers Union](#) survey. [According to MBO Partners](#), one in five independent freelancers earns over \$100,000 annually, and that demographic has increased more than 70% since 2011. As freelancing normalizes, the likelihood is that the *#freelancerevolution* will only continue to expand, creating a virtuous cycle of high demand and increasingly profitable opportunities.

Stephane Kasriel, CEO of Upwork, summarized the findings of the study this way:

“The freelance economy includes a thriving segment of knowledge workers who choose this way of working both for the professional opportunities and the lifestyle it affords. As technology and skills evolve more rapidly than ever and the labor market remains tight, businesses are increasingly turning to independent professionals to find the talent they need.”

So how does one establish a career as a top freelancer? In a recent [Forbes article](#), I described the big six entrepreneurial skills that all top freelancers have mastered:

1. Portfolio Management. Effective freelancers manage a portfolio of clients and assignments, and need to make choices not only about how and when to complete the work, but also what work and clients to take on from a more strategic perspective. [Investopia](#) describes *portfolio management* as “the art and science of making decisions about investment mix and policy, matching investments to objectives...and balancing risk against performance. Portfolio management is all about determining strengths, weaknesses, opportunities and threats...in the attempt to maximize return at a given appetite for risk.” The most important investment a freelancer makes is where and with whom a freelancer spends his or her time. For example, what amount of your time will be spent serving clients, and how much time you will devote to any one client? How will you invest in building your brand, cultivating new client relationships, and expanding your skills?

2. Continuous Improvement; Future Skill Development.

Successful freelancers recognize the necessity of keeping up; they take the actions needed to skill-proof their practice through continuing education. As I wrote in [my Forbes.com blog](#) (“Freelance Revolution”), a study by [Adecco and BCG](#) found that freelancers recognized the need to prepare for evolving technical skill requirements, and were more likely to take the actions to skill-proof their careers than full-time employees. Upwork found a similar trend in their survey research.

3. Networking and Relationship Management. Effective freelancers are active networkers; they depend on “360 degree” relationship management: with freelance clients and colleagues with whom they work, other freelance colleagues who, as part of their support network, help and collaborate with them in staying up to date and keeping professionally sharp, and the staff of online marketplaces on whom they depend for freelance opportunity and support. Top freelancers view these relationship categories as critical relationships, and invest wisely, scheduling time to stay in touch with all categories of collaborators.

4. Project Execution Discipline. The cornerstone factor in freelance success is how well and consistently the individual meets performance expectations. For successful freelancers, this is the result of strong project execution disciplines. Dan Schwabel, a contributor to Forbes.com describes [four execution disciplines](#): (a) focus – clear identification of what matters most, (b) leverage – how to best utilize the time and resources available to you, (c) engagement – building relationships with co-workers that broadly invests ownership and commitment, and (d) accountability – taking responsibility and ownership for the result, and for effective measurement.

5. Innovation. Top freelancers are creative; but more than that, they are innovative. While creativity provides the spark for a new product, service, or way of working, innovation turns it into something real and productive. Successful freelancers combine their creativity with rigorous analysis and problem solving skills to convert intriguing ideas and possibilities into practical, commercially viable, solutions.

6. Rigorous Self-Assessment and Self-Insight. The last of the big six entrepreneurial skills underpins all the others: rigorous self-assessment and self-insight. Socrates put it elegantly: “The unexamined life is not worth living...The nearest way to glory is to strive to be what you wish to be thought to be.” Successful freelancers regularly review their performance and prospects as would any entrepreneur, and identify critical needs for change, assistance and improvement. However you go about it, effective self-assessment always involves the advice and perspective of others in whom you trust, as well as your own perspective on what’s going well and what needs to be done differently.

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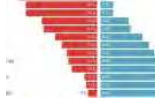
The coronavirus could change how freelancers work in the long term

BY ELENA SHEPPARD

April 15, 2020 5:45 PM EDT



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The coronavirus pandemic is thrusting into the spotlight some of the fundamental problems that define working life for the 57 million Americans, or 35% of the country's workforce that, according to [a recent report by freelancing platform Upwork and the Freelancer's Union](#), make their living by being self-employed.

The same report states that freelancers contribute \$1 trillion annually to the GDP, and they operate largely without benefits—no sick leave, no unemployment, no paid time off. But as this pandemic progresses, it's becoming clear that demands from freelance workers—be them writers, performers, ride-share drivers, or hospitality workers—are as valid as those from full-time employees.

And as regular office-life is going through [changes that will go beyond COVID-19](#), and freelancers are facing a particularly [dry season amidst the pandemic](#), this could also be the moment when self-employment is reshaped for the years to come.

Freelancers' benefits could finally be broader and long-term

The \$2 trillion coronavirus stimulus package, known as the CARES Act, offers the self-employed large-scale unemployment insurance for the first time ever. "For the first time in history, under the federal stimulus package, [unemployment will now cover freelance workers](#)," Rafael Espinal, President of the Freelancers Union. "This will inject needed money for workers to get by. Of course, it won't cover all expenses, but it's a start. We should find ways [for] this [to] become a right moving forward."

Espinal also believes that if benefits were portable—each individual taking them from job to job without their coverage being interrupted—, that would create new opportunities for workers who prefer to be independent but are staying in full-time positions so as not to lose their benefits.

Of course, the benefits enacted are imperfect and come with a thick layer of bureaucracy. Kara Kleindienst, founder and CEO of New York-based dog walking company The Barking Meter, says the challenges for the self-employed who need to physically go to a job are complicated, including the loans and grants being afforded to businesses like her own.

"It's a very difficult and confusing process," she says. "For small business owners who cannot work from home, this money may be the only means to save our companies—yet the applications are daunting or not even open yet or financial institutions won't take it on in the first place."

Self-employment could become safer than full-time jobs

Hayden Brown, president and CEO of Upwork, thinks we'll be seeing more and more freelance workers as the pandemic continues—largely because people feel more secure having more than one income source.

"We have heard from many independent professionals, particularly in the last ten years since the 2009 recession, that they feel a heightened sense of security having multiple sources of income via various clients they serve," Brown says. With the pandemic and the recessionary period that may follow, "we anticipate that more workers will seek out independent contracting arrangement", she adds.

Sarah M. is one of such workers leaving her job at a school, citing job security as one of the reasons. "COVID-19 is likely to put that institution, already on shaky financial ground, into an even more precarious position," she says. "Being self-employed actually feels more secure to me than working for a struggling small college."

Others who have been freelancers for a long time, and always interpreted that as a risk, now feel differently. Nate Johnson, a leadership and mindset coach, says that the lack of job security involved with freelancing has caused him to reconsider what security really means, namely that it must be self-provided. "I'm glad I learned this a while back because so many people are realizing that even 'secure' jobs aren't guaranteed," he notes.

Monet Izabeth, a freelance content creator, says that the financial effects of COVID-19 have only reaffirmed her decision to be a freelancer. "I feel very prepared for this type of uncertainty, even more than some of my friends who have full-time, in-office jobs," she says. "My work environment has strengthened my mindset of 'where can I find the opportunity in this situation?' instead of focusing on the negatives." Used to the risk of being self-employed, freelancers tend to be more resilient—a useful resource when navigating unstable times like these.

Remote work could become the norm

Upwork and the Freelancer's Union believe that [the majority of the U.S. workforce will be freelance](#) as soon as 2027. As the new work-from-home reality of coronavirus leaves its mark, we could find that number growing even more quickly.

"Remote work, and the talented freelancers who work remotely, will increasingly be the norm," Brown says. "The trends supporting this started well before the current crisis, and may be accelerated by the changes everyone is making to adapt to new realities."

Evidence of the trend is already on the talent side, with the increased number of freelancer sign-ups in the past weeks. “As businesses are rapidly adopting more flexible, remote work models, as well as contending with an uncertain economic climate, we expect them to be more open-minded to working with remote, independent freelancers than ever before,” she adds.

Megan K., a freelance set designer, hopes that one day her independent career will involve benefits, though she can’t quite picture what that would look like. “I have been freelance long enough that ordinarily I feel that I have some security; for every quiet time, there is an equally busy time to counterbalance,” she says. “I wish that my career provided some kind of retainer for the quieter times, although it’s hard to envision how that would work.”

While it may be hard to imagine exactly what the future of freelancing would, or could, look like, this enforced shake-up is being used to redefine things individually and collectively. “This crisis provides an opportunity to show how large of a workforce [freelancers are],” Espinal, of the Freelance Union, says. “And why we should be supporting the future of [that] work.”

More must-read [careers coverage](#) from Fortune:

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- [Everything you need to know about furloughs](#)—and what they mean for workers
- [How freelancers can pivot](#) to make it through the coronavirus pandemic
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**SMALL BUSINESS PLAYBOOK**

A snapshot of the \$1.2 trillion freelance economy in the U.S. in the age of Covid-19

PUBLISHED TUE, SEP 15 2020•9:00 AM EDT

**Lori Ioannou**
@LORIIOANNOU1

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KEY POINTS

More than one-third of the American workforce freelance amid the Covid-19 pandemic, contributing \$1.2 trillion to the U.S. economy, a study by Upwork revealed Tuesday.

This was a 22% increase since 2019 and it was fueled in part by an influx of younger, highly-skilled professionals seeking flexible alternatives to traditional employment.



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More than one-third of the American workforce freelance amid the Covid-19 pandemic, contributing \$1.2 trillion to the U.S. economy, a study by Upwork revealed Tuesday. This was a 22% increase since 2019 and it was fueled in part by an influx of younger, highly-skilled professionals seeking flexible alternatives to traditional employment.

Upwork's seventh annual study entitled Freelance Forward surveyed more than 6,000 U.S. workers over the age of 18 and found that 59 million Americans performed freelance work in the past 12 months, representing 36% of the U.S. workforce, an increase of 2 million freelancers since 2019. It was conducted June 15 to July 7.

Key findings offer surprising trends. Among them:

- **Freelancing increases earning potential:** Of those who quit their full-time job in order to freelance, 75% say they earn the same or more in pay than when they had a traditional employer.
- **Professionals are likely to consider freelance work in the future:** 58% of non-freelancers who are new to remote work due to the pandemic are now considering freelancing in the future.
- **Young adults are turning to freelancing for economic opportunity:** Amid a tough job market for recent college graduates, half of the Gen Z workforce (age 18-



- **More professionals are freelancing full-time:** The share of independent professionals who earn a living freelancing full-time has increased 8 percentage points to 36% since 2019.
- **Freelancing is helping to hone skills:** 59% of freelancers have participated in skills training in the last six months vs. 36% of non-freelancers.
- **Companies of all sizes turn to freelancers:** There is a burst in demand for people to support customer services as well as ecommerce development, web and mobile design.

According to Upwork president and CEO Hayden Brown, “It’s not surprising freelancing is on the rise in this era of uncertainty.”

She noted another driver is the growth in remote work. “We expect this trend to continue as companies increasingly rely on freelancers as essential contributors to their own operations.”

Freelance jobs most in demand today are in computers/mathematics, and in finance/business operations, according to the report. Even before Covid-19, 26% of freelancers worked entirely remote and 46% worked remotely more than half the time.

“The changing dynamics to the workforce that has occurred during the crisis demonstrate the value that freelancing provides to both businesses and workers,” added Adam Ozimek, Upwork’s chief economist. Disruptions in education have made flexibility key during a time when demands for child and elder care, along with job responsibilities, have grown.

Society’s perception about freelance is also changing. Seventy-one percent of freelancers say perceptions of freelancing as a career are becoming more positive, the survey revealed.

Meanwhile, 67% of full-time freelancers say that freelancing has prepared them to cope with the uncertainty of the coronavirus pandemic better than those in traditional jobs.

Here’s a snapshot of the freelance economy:



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A WORKFORCE IN TRANSITION



U.S. freelance economy is essential



59M

Americans are now freelancing - that's 36% of our total workforce.

Annual earnings increased significantly



22%

Increase in total annual freelance earnings, with a total of \$1.2 trillion this year.

Annual earnings increased significantly



36%

Of freelancers do so full time - an 8% point increase from 2019.

Every generation chooses freelancing

Gen Z (18-22) **50%**

Millennials (23-38) **44%**

Gen X (39-54) **30%**

Boomer (55+) **20%**



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28,569 views | Aug 18, 2020, 07:16am EDT

Freelance Revolution Rising: Check Out The Growth At Upwork, Fiverr And Freelancer.Com

**Jon Younger** Contributor ⓘ

Careers

I write about the freelance revolution and the future workforce.

GETTY

What's the state of the freelance revolution? It can be difficult to identify the growth of freelancing on a rigorous quantitative and economic basis, after all the majority of digital talent platforms remain private companies with no requirement to share financials.

Certainly, there are trend indicators at a macro level, like the [Upwork](#) and [Toptal](#) surveys, reports of the [BLS](#), and wide-casts by consultancies like the [McKinsey Global Institute](#), [Accenture](#) and others. On an informal basis, the growth seems self-evident, incontestable and clearly reinforced by the impact of the Covid 19 pandemic. Most mature freelance platforms report growth in both SMB – small and medium sized businesses, the historical primary market for freelancing - and, increasingly, growth in repeatable, project based, enterprise work for large corporates. (disclosure: For my [Forbes](#) writing, I'm in frequent contact with a large and growing number of mature and new startup freelance platforms).

It's difficult to find precise overall numbers for this nascent industry because most players are private and relatively new. But, a few of the best known digital talent marketplaces are now public companies and report their performance. I thought readers might like to review the most recent financial performance of [Upwork](#), [Fiverr](#), and [Freelancer.com](#). Upwork and Fiverr are traded in the US stock markets, and Freelancer.com is covered in the Australian stock market. Looking at performance before and after Covid 19 was named a pandemic, has the freelance business remained robust? Moreover, has it grown? What can we learn from publicly available information and CEO comments?

The conclusion

The freelance revolution is large and growing, and Covid 19 and the shift to remote has been an accelerant. Each of the companies experienced a growth bump in April and is expanding revenues, talent, and client roster. Each remains primarily a supplier of SMB talent, but is also building deeper enterprise relationships with larger corporate clients.

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[Leaders Under Pressure: Finding The Essential Skills For The New Era](#)

The Coming Boom For Freelancers

Here are the specifics:

Upwork.com

In the most recent quarter, Q2 2020, Upwork reported revenues just below \$90 million USD, which was more than 10% higher than the company or analysts forecasted. Q1 2020 revenues were approximately \$83 million USD, a 5% increase. Q4 2019 revenues were around \$80 million USD, so without doubt Upwork continues to grow.

How does Upwork's financial future look? Analysts expect a consistency of revenues throughout 2020 with a year-end revenue number closing in on \$350 million USD. Analysts forecast that 2021 revenues will clock in at \$400 million USD, an increase of over 15%.

Here's what CEO Hayden Brown **had to say**:

“The seismic trends toward remote work and more flexible working models continue to move in our favor ... 45% of hiring managers have frozen full time hiring, and yet 72% are continuing or increasing their usage of independent professionals — underscoring, the focus companies have today on cost management and workforce flexibility. Against this backdrop, I'm pleased to report second-quarter revenue of \$87.5 million, representing 19% year-over-year growth and exceeding the high-end of our guidance range.

“Spend from new clients was a larger contributor than usual this quarter as we on-boarded and activated our record number of new clients. We benefited from the structural shift in favor of remote work and labor flexibility. The other key driver of our revenue was spend from retained clients. A predictable and meaningful spend level from retained client is a critical differentiator of our business model, and we are proud of the degree to which our customers have continued to fly on Upwork freelance talents as an essential part of their own operations through the economic downturn, as

evidenced by the addition of more than 4,000 additional clients to our core client roster this quarter.

“In Q2, we saw significant traction with business customers from the launch of more than 50 new solution-focused pages demonstrating the specific ways that businesses can leverage freelancers on Upwork for immediate needs.

“Next, we successfully increased client hiring activity in our most valuable categories, including technical categories and customer support. We were able to achieve significant adoption of our Bring Your Own Talent functionality ... and entered into a partnership in Q2 with Business Talent Group, which offers access for our clients to their network of professional business consultants while also enabling us to access BTG's additional client base which includes 50% of the Fortune 100.

“Our third strategic priority is to make more high-quality matches with a focus on our high value technical categories of work. We saw huge global demand in Q2 for technical talent to address critical business needs in a digital-first world.

“In Q3, we will continue to expand our vetted talent pools as we – as well as our core systems to offer a matching experience differentiated by the specificity, speed, and quality of the talent matches we offer.”

Fiverr.com

Let's start with stock market performance in Fiverr's case: the value of a Fiverr share has increased by 356% year to date! It's been an amazing run. In the most recent quarter, Q2 2020, revenues were \$47 million USD, up from \$34 million USD in Q1 2020, or an increase of over 40%.

How does Fiverr's future appear to pundits? Analysts are counting on a forecast of \$200 million USD or double the \$107 million USD revenues achieved in 2019. Analysts are looking for around \$250 million USD, or an

additional 25% growth. Clearly, Fiverr is on a tear. Time will tell how long this growth can be sustained, but it sends a strong message about the resilience of the freelance revolution.

Here's what CEO Micha Kaufman had to say:

“Fiverr reported strong Q1 results with revenue growing 44% year over year. This represents a third consecutive quarter of accelerating growth and beating our prior expectations. GMV on our core marketplace has accelerated on a year-over-year basis for every week in April since mid-March. We hit all-time daily revenue records four times in April. All of our existing cohorts have rebounded strongly from March volatility.

“We are also experiencing a strong uplift on new buyer acquisition, driven by organic awareness and performance marketing. All verticals have rebounded with similar trends to the overall market pace. And we have seen particular strength in categories related to moving businesses from off-line to online as well as digital content-related categories such as gaming, social media, online lessons and e-books. Last but not least, we are seeing the strength of our business, not only in the US but across the world. We enjoy an expansive and well-diversified global buyer base that stays active with us and contributes to the continuous and durable revenue streams for a very long time.

“There is an increase in our high-value buyers, which now represents 58% of our revenues. And what we're seeing is we're seeing that the behavior of all of these new buyers is very consistent with what we've seen. We have a combination of small businesses, medium businesses and larger businesses, with maybe a little bit more skewed in recent cohorts toward the more larger. That said, the SMB continues to be very vibrant, and this is shown by the fact that our older cohorts, those who have been with us for even 10 years have been going back into growth.”

Freelancer.com

Unlike Upwork and Fiverr, Freelancer.com is registered on the Australian stock exchange, measured in AU\$, and reports on a half-year rather than quarterly basis. However, like Upwork and Fiverr, revenues have increased over the first half, although slightly less than the others. First half revenues for Freelancer.com grew to \$96 million AU from \$92 million AU in the first half of the prior year. This represents slower growth than Freelancer.com had experienced in the prior couple of years (in 2018 first half revenues were \$83 million AU).

Freelancer points out that a significant contribution to Freelancer.com revenues was its partnership with [Arrow Electronics](#), which increased net revenues for the first half by 11%.

A strong indication of growth for freelancing overall, and Freelancer.com in particular, is offered by [Deloitte's Nishita Henry, Chief Innovation Officer](#), describing Freelancer.com's partnership with Deloitte through the "My Gigs Platform" initiative:

"We accelerated the launch of the MyGigs Platform, a self-service short-term staffing app connecting our internal talent pool to open project opportunities, in an effort to create the #1 remote talent experience. Since March 2020, the number of gig workers has more than doubled to a total of 16,800 and the number of job posts has increased by 10x for a total of 100k hours. As we begin to navigate the "new normal," we will focus on onboarding another 35,000 internal resources and drive to delivering 20% of all projects through this platform. MyGigs is changing the way we deliver work on our projects to our firm, our clients, and our society!"

Here's what Freelancer's semi-annual report and CEO Matt Barrie [had to say](#) about first half 2020 progress:

"1H20 Freelancer revenue all-time record of \$25.7m, up 4% on pcp and excluding enterprise service revenue was up 11% on pcp to \$24.5m (primarily due to completion of Arrow major work) – Revenue growth year

on year by month (excluding enterprise engineering services) has climbed monotonically in US dollars from January. June 2020 revenue on June 2019 revenue was up 20% in US dollars and 21% in Australian dollars.

“For Enterprise: – In 1H20 we signed MSAs and/or SOWs with major companies in the professional services, FMCG, chemicals and robotics industries. – Joint winner of US\$25M NASA Open Innovation Solutions 2 tender. – Began pilots with global healthcare, energy, consumer staples and telecommunications companies. – Successful pilot with a \$11B chemicals company have led to global expansion plans, with on-boarding its Singapore region as a starting point and five countries to target in ultimate roll-out. – Multi-country field services pilot with US computer company rolls out to second country (>1000 projects) out of thirteen.”

“The front-end improvements continue to deliver wins and the focus is on collaborative tooling, useability improvements, the new mobile experience, managed services, API expansion, design overhaul and enterprise offerings in coming quarters.”

The rising tide

As the expression goes, a rising tide lifts all boats. Each of these leading digital talent marketplaces delivered meaningful growth through the first half of 2020, and increased performance in the second quarter. The driver: business continuity needs provoked by a black swan global crisis. Industry around the world was learning real time how to manage remote distributed teams and needed external talent to supplement or replace critical technical and functional staff. Whether an individual specialist in AI to a full team staffed to build and launch a new product, performance marketing plan, or strategic business analysis, large and small companies are turning to freelancers. They do not replace full-time employees as such, but together with full-time employees they make possible a flexible, blended, cost efficient and ready now workforce. Covid 19 fundamentally disrupted commerce across the world. The three CEOs of these companies share a

confidence and enthusiasm that the changes provoked by Covid 19 together with enabling technologies will secure the future of the freelance revolution: More demand, a greater diversity of assignments, more enterprise level activity.

Viva la revolution!

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Jon Younger

HR thought leader, author, teacher and early stage investor. Writing about the freelance revolution and the future of work. Books include HR From the Outside In, HR...

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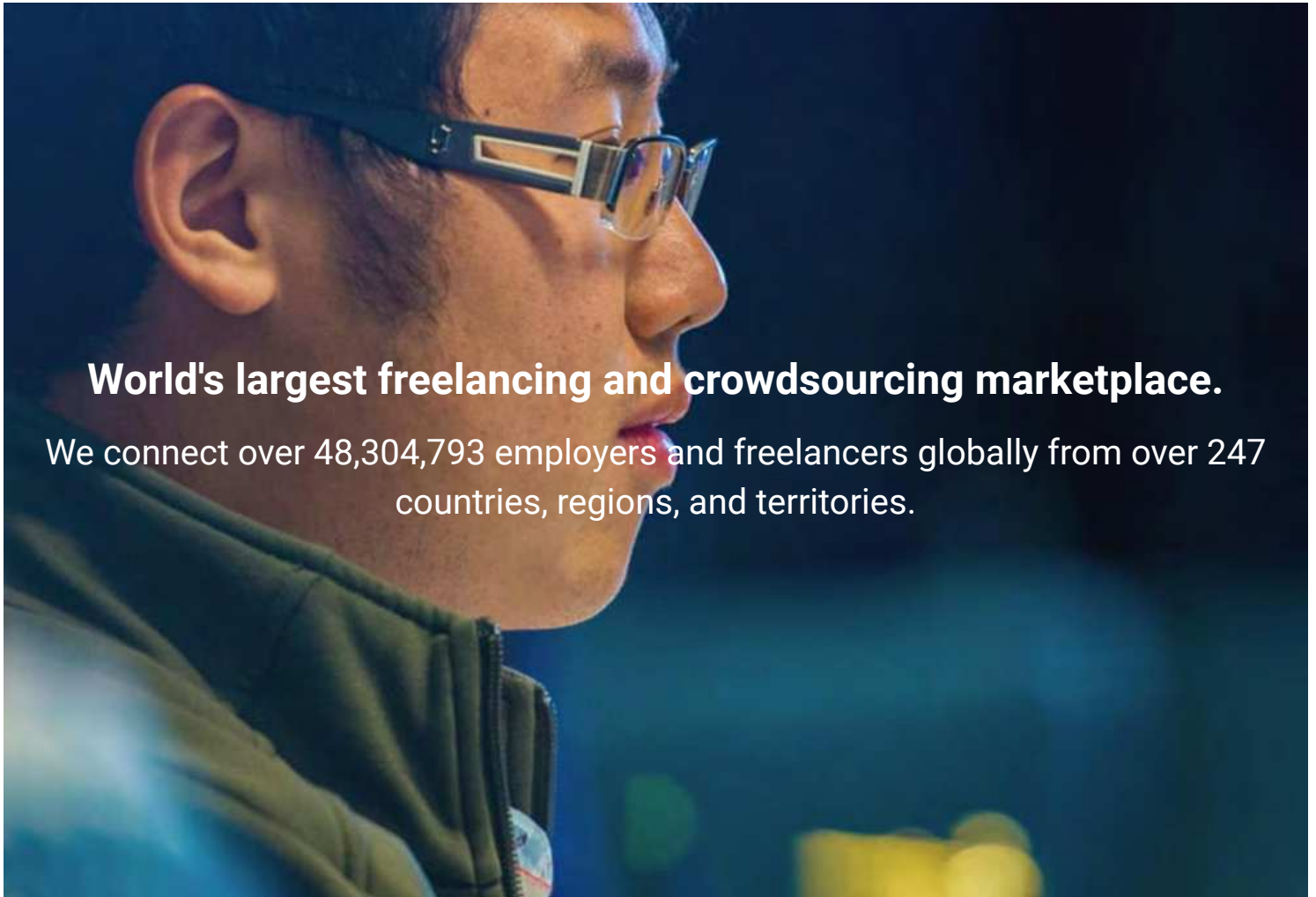
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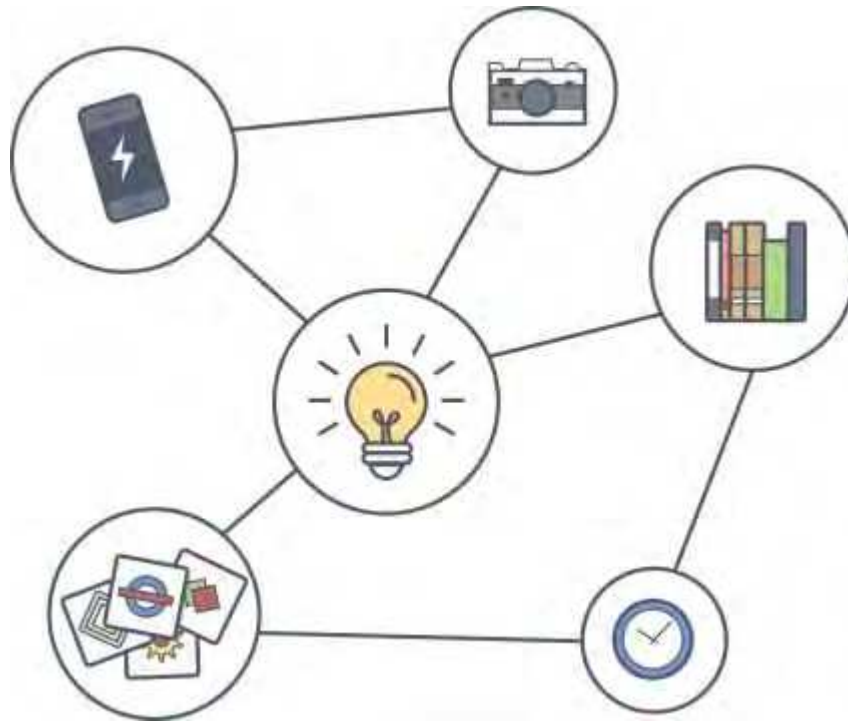
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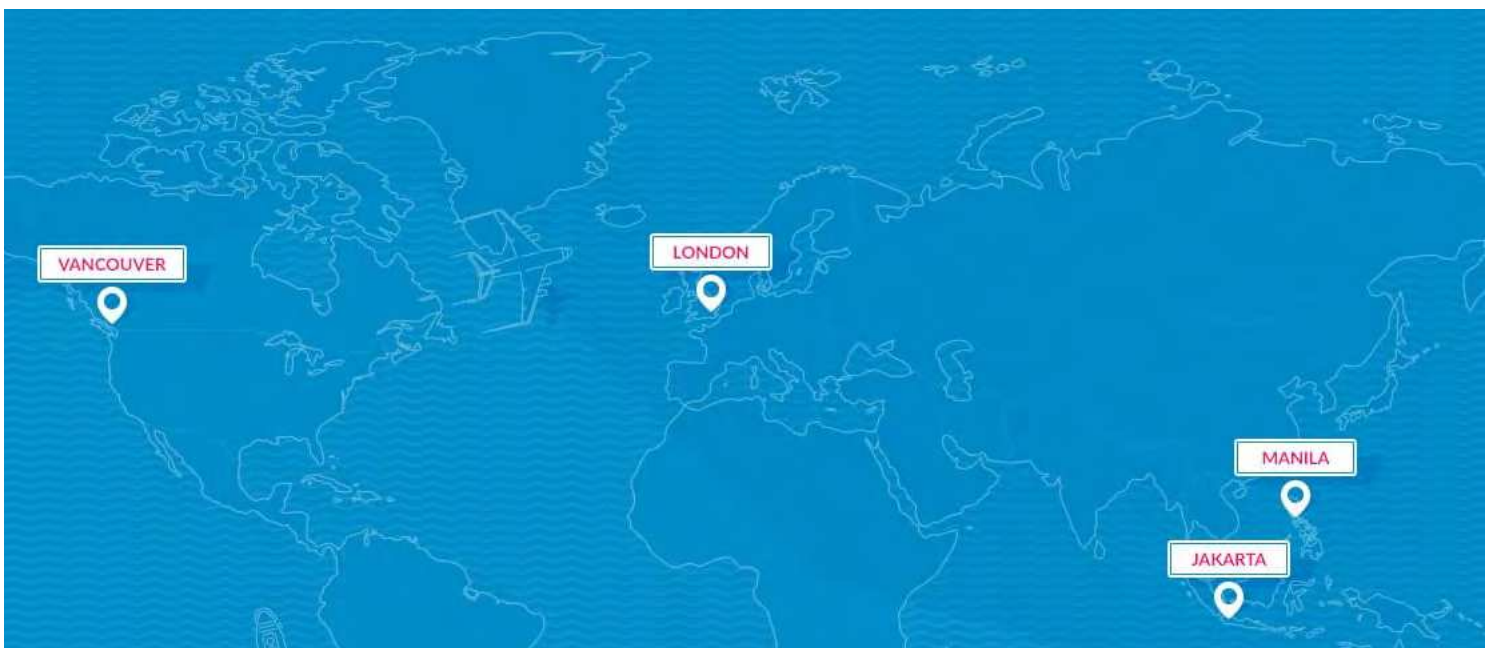
We connect over 48,304,793 employers and freelancers globally from over 247 countries, regions, and territories.



Company Overview

Freelancer.com is the world's largest freelancing and crowdsourcing marketplace by number of users and projects. We connect over 48,304,793 employers and freelancers globally from over 247 countries, regions and territories. Through our marketplace, employers can hire freelancers to do work in areas such as software development, writing, data entry and design right through to engineering, the sciences, sales and marketing, accounting and legal services.

Freelancer Limited is trading on the Australian Securities Exchange under the ticker ASX:FLN





Our Online Economy

The video below illustrates the Freelancer online economy. The pink lines indicate where projects are being posted by employers, and the blue lines indicate where the projects are being performed by freelancers. Thicker lines indicate a higher dollar volume of work. White dots indicate the location of Freelancer's users.



EXHIBIT 3



FREELANCER

Freelancer - Hire & Find Jobs

The world's largest marketplace for freelancing and crowdsourcing, is now available on your mobile phone!



Enter your phone number to download the app

Send

EXHIBIT 4

How a 32-year-old who makes \$39,000 and lives with his parents spends his money

This founder sold her business to Amazon and became a Google exec, all by age 30

Time is ru
Sapphire

GET AHEAD

The pandemic has boosted freelance work — and hiring for these jobs is booming

Published Mon, Jul 6 2020•11:37 PM EDT

Updated Tue, Jul 7 2020•11:06 AM EDT



Karen Gilchrist

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10'000 Hours

The [coronavirus](#) pandemic has wreaked havoc on the global jobs market, leaving many unemployed, furloughed or working reduced hours as employers implemented sweeping cost-cutting measures.

Yet, one workforce that has weathered the storm better than most is the freelance market. That segment of the workforce has seen a surge in demand — even as full-time work has collapsed, according to a new report from online freelance market place Freelancer.

Freelance job openings increased over 25% during the April to June quarter of 2020 — compared to the first three months of the year, Freelancer's "Fast 50" report found. The quarterly study tracks movements from the top 50 fastest growing and declining jobs on the site's global marketplace which spans North America, Europe and Asia.



There will be a permanent step-change in both working from home and the use of freelancers by businesses.

Matt Barrie

CEO, FREELANCER

The uptick reflects a shift in the post-Covid-19 global jobs landscape, as employers reevaluate budgets and opt for a more flexible workforce. But it also indicates a growing interest among employees to move toward independent work, Freelancer's CEO Matt Barrie told [CNBC Make It](#).

"While Covid-19 has been the trigger of the already upward trending freelancer movement, this exponential growth can also be attributed to the strong demand for individuals to finally start their own freelance enterprise, work on their own terms and supplement their income," said Barrie.

Freelance job postings rose 41% to 605,000 in the second quarter of 2020 compared to the same period in 2019, according to the report.

Meanwhile, last week the United Nations' International Labour Organization estimated that the number of working hours lost in the second quarter this year could be the equivalent of [400 million full-time jobs](#).

"I do foresee that this crisis will extend well into 2021, and there will be a permanent step-change in both working from home and the use of freelancers by businesses," Barrie added.

Fastest growing freelance jobs

The jobs that saw the greatest surge in demand from employers in the second quarter tended to be those directly connected to the pandemic, according to the report.

Jobs related to mathematical modeling — including mathematics, Matlab and algorithm projects — saw the greatest increase over the quarter, as they surged 99.6% to 16,501 jobs. Statistics and statistical analysis positions also saw a major uptick, rising 75% to 7,397 jobs.

Much of that demand came from health-care institutions, governments, businesses and media organizations, which increasingly require number crunchers to "interpret, analyze and report" data on cases, hospitalizations, mortality rates, testing, as well as the impact of the pandemic, the report noted.

A [spike in the use of competitive trading platforms](#) and investment sites also prompted demand for algorithm projects under listings such as mathematics, or the trading program metatrader.

Median pay per project, according to Freelancer:

Maths — \$203

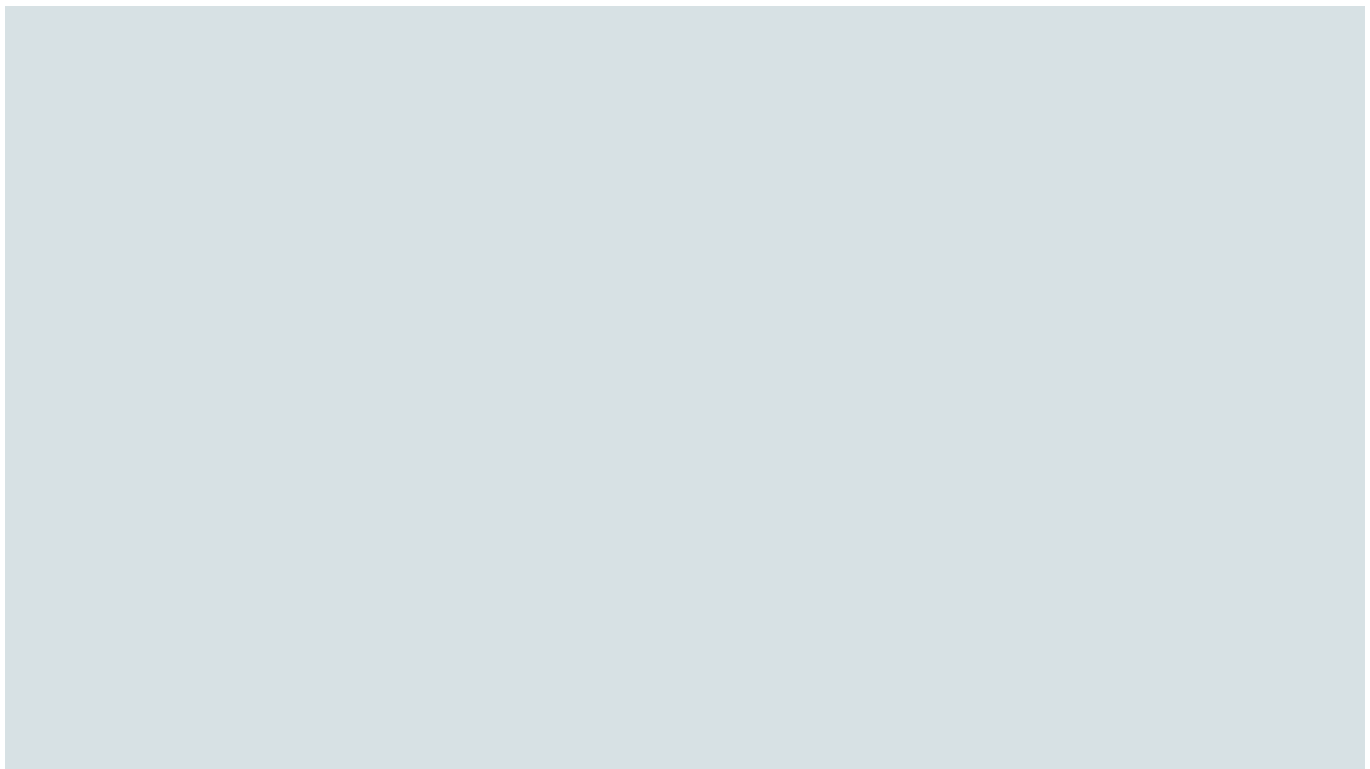
Game development — \$300

E-commerce — \$260

Barrie said the uptick coincides with a wider surge in demand for mathematics and algorithm-related skills. By 2028, demand for mathematicians and statisticians is expected to grow 30% from 2018 levels, according to the [U.S. Bureau of Labor Statistics](#). It said the average annual salary for such roles is \$92,030 — or \$44.25 per hour.

Elsewhere, near-global lockdowns sparked demand for home entertainment and online shopping and, consequently, workers with applicable skills. Demand for game designers and game developers surged 68% and 64% respectively in the second quarter, while job postings for e-commerce professionals rose 54.4%.

At the other end of the spectrum, listings for face-to-face jobs — categorized as “local jobs” like furniture assemblers — unsurprisingly saw the biggest declines over the period, dropping 35.6%.



Getty Images

Tips for getting started

Though the job market is likely to stay unpredictable for some time, Barrie said freelance work could provide a suitable option for some people. He shared his [top tips for getting started](#):

1. Know yourself — When considering going freelance, spend time figuring out if it's the right kind of working style for your personality.
2. Test the water — One way to test out a freelance career, is to try doing a few individual jobs while maintaining your other sources of income.
3. Build your brand — Once you're ready to commit to more freelance work, spend time filling out your online profile, or portfolio, so people can easily view your past work.
4. Keep upskilling — Ensure your skills remain up-to-date by taking advantage of free online resources via sites such as edX, Udemy and Coursera.
5. Know your worth — Finally, know your market value and adjust your costs according to your expanding abilities.

"In these times, it is very important to find your niche — an area where you bring 'something extra' to the job, whether it would be skills, domain expertise, industry connections, or even just great communication, a positive attitude and great customer service," said Barrie.

Don't miss: [LinkedIn says these are the world's 10 most in-demand jobs that don't need a degree](#)

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Ramit Sethi: Here's the approach to take if you don't have money right now

How freelancer.com became the biggest marketplace for freelancers in 6 years - Startup Story #19 - JungleWorks

Founded in 2009, Freelancer.com is now one of the biggest peer-to-peer platforms to connect with freelancers with varied skills across the world. Freelancer.com, a global online freelancing and crowdsourcing marketplace is now the first place to go to in case of hiring a freelancer or to be a freelancer. The marketplace allows freelancers to get work, interact with the project owners in the most convenient way possible. The marketplace now boasts of more than 16.5 million freelancers having completed over 8.5 million projects.



In a discussion with Matt where he shares his experience with creating one of the most popular and successful Freelancing marketplace in the world.

Q1. Tell us a little about Freelancer and your personal motivation for starting this business?

Freelancer.com is the world's largest freelancing and crowdsourcing platform in number of users and projects. We currently have over 16

million registered users globally from beyond 247 countries, regions and territories. More than 8 million projects have been posted on the site in over 850 project categories like software development, graphic design, sales and marketing, and even astrophysics. Freelancer.com allows small business and entrepreneurs to hire a global talent pool of freelancers to get work done.

I started Freelancer when I had a first hand experience at how fast and convenient it was to hire a freelancer online. I needed to get some data entry done and I'd been asking around for help but couldn't find anyone to do the job. I thought it would be the perfect job for a university student and was paying \$2000, but nobody I knew wanted to do it. In desperation, I checked online and found GetAFreelancer where I could post a project and hire a freelancer. In a couple of days, I received numerous bids. The data entry that I'd been trying to get done for months was completed by a freelancer in just a few days.

I saw the huge potential behind this experience. I realized that the next big thing is to build an eBay for jobs and services, and that's exactly what Freelancer is. What motivated me to get started and keep going with Freelancer are the opportunities behind connecting millions of entrepreneurs and professionals from across the world.

Q2.Can you give us a rundown of how Freelancer works?

Using Freelancer is very easy for both employers and freelancers.

For an employer, its as simple as posting a project – most projects get their first bid in under 60 seconds. You then review the profile, reputation, portfolio etc of each bidder and award the job to the best freelancer. You can also chat with the freelancers in real-time through the Freelancer.com *instant messaging system*. Once the project has been awarded, the next step is to create *Milestone Payments*. These payments are held by Freelancer.com until the project is completed. When the project has been completed and you're fully satisfied with the outcome, you can "release" the *Milestone* to the freelancer and they will get paid. On the other hand, if you are not satisfied, you

simply file a dispute and the money will be returned to you. This completely removes any risk of hiring online.

For a freelancer, as soon as you've registered on the site and completed your profile, you can start browsing through jobs – and there are thousands of jobs to choose from. Once you see a job you like, the next step is to place a bid. If the employer likes your bid, they will hire you, and you will be prompted to *accept* the project. Once you have accepted, you should start working on the project. It's very important that you do the job to the absolute best of your abilities – this will not only ensure you get paid, but it will also entice the employer to leave you valuable *feedback*. This *feedback* will help you get more jobs in the future.

Q3. Who are your key stakeholders and how are you offering them value?

Freelancer is a two-sided marketplace, and the main way we offer them value is by providing a platform on which they can meet and do business – even though the other party may live halfway around the world. We also provide value by building products that assist with seamless communication, that enhance trust, and that make hiring and working through the platform easier and safer.

Q4. What is Freelancer's biggest achievement to date? How did you go about accomplishing this?

To date, Freelancer has grown to over 16 million users from around the world. For us, this means that we have provided an opportunity for over 16 million people to change their lives for the better by providing a platform that can help them build their businesses, augment their income or gain work experience in a particular field. These opportunities are often difficult to obtain or unavailable in the area in which they live. Freelancer.com breaks down geographical barriers that prevent people and businesses from reaching their potential. Being part of our global network and having the chance to collaborate

with people from other parts of the world opens countless possibilities for both employers and freelancers on our site.

Because of our growing community, we're driven to keep improving and expanding our products and services to continuously provide better value for our users. Recently, we launched local jobs where employers can find freelancers for location-based jobs like photography or wedding planning. Freelancer is also the first freelancing platform to have a video chat tool which allows a more efficient means of communication and collaboration between employer and freelancer.

Q5.What has been your biggest setback? How did you deal with it?

This isn't exactly a setback, but taking Freelancer to a global market comes with its own set of challenges. In every stage of growth, when we develop a product or communicate with our users, we put different languages, currencies, cultures, and local customs and practices into consideration. We want our users from around the world to be equally at ease when using Freelancer. To accomplish this, we have 40 regional portals, all translated to a native language like Polish, Japanese or Spanish. Members can use 19 different currencies on the site including US dollars, Euros, British Pounds and Indian Rupee, all the way through to Chilean Pesos and Malaysian Ringgits. We will continue to expand our multilingual and multicurrency offerings in the future. Our 24x7x365 support team speaks over 10 different languages.

Q6.Could you shed some light on the technology and tools used to build Freelancer ?



Freelancer primarily uses open source technologies — PHP, Python, MySQL, Redis, Memcached, Nginx, and Elastic Search are some of the main technologies used to run the site.

Q7.What was technically the most challenging part of developing Freelancer ?

Taking over legacy code and incrementally improving it. From an engineering perspective, we want to focus on doing things right and making sure the quality of the platform is continuously improved. We are also experiencing tremendous growth in terms of user base and traffic so re-engineering to ensure that growth is supported is key to our continued success.

Q8.What are some of the hurdles and roadblocks you still face?

Tens of thousands of new users register on the site on a daily basis and we want them to be integrated into the community right away so they can find the solutions or opportunities they're looking for. That's why we always try to improve our navigation to make it as simple and convenient as possible for our users.

Aside from this, another key challenge is ensuring that new freelancers have a good chance at winning bids. To help with this, we continually tweak our reputation algorithms and encourage new

freelancers to improve their profile by doing things like uploading portfolio items to showcase their skills.

Q9.What are some the current trends you see in the industry?

Businesses and entrepreneurs are hiring freelancers most commonly to build their websites and mobile apps. We've been seeing a rapid increase in Android and iPhone related jobs in the past 3 years.

However, what really continues to amaze us is the huge breadth and depth of jobs that can be done online. We see jobs in Astrophysics, Aerospace engineering, architecture, 3D printing, genomics, virtual reality – the talent pool on the site is truly breathtaking.

Nearly every service today can be done and delivered online, which is really fuelling the growth of our marketplace.

Q10. There are definitely a lot of companies similar to Freelancer floating around right now. What are you doing that differentiates you?

We've done a lot to set us apart from other freelancing platforms out there. A striking difference we have with the others is our global community. Others' userbases are usually concentrated in a particular country or region. Having users from around the world offers more opportunities for our members. Also, as mentioned earlier, we have localized portals translated into native languages. We offer support in different languages too, and we accept multiple currencies from around the world.

Fundamentally, Freelancer.com is true technology business, which means we are always the first to support new and emerging technologies, such as *instant messaging* and recently *video chat*. These products greatly enhance the ability of our users to work and communicate and make a huge difference in their day-to-day lives.

Q11.Where do you see Freelancer in five years?

Freelancer's mission is to give 1 billion people from around the world a (small) job. To date, we're at over 16 million users. In five years, we'll be much closer to reaching our goal – if we haven't already hit it!

Q12.If you had a chance to go back, what would you want to do differently?

No regrets. I just wish I'd done it all faster.

Q13.Any advice for startups trying to make it big or join the On-Demand space?

My advice for startups is for them to use tools and resources available to them free (or nearly free) online. Just about everything has an open-source equivalent these days, which means that businesses can be built on the back of a credit card. There's never been a better time to be an entrepreneur.

Also, it's very tempting for entrepreneurs to do everything themselves – from product development, handling finances to marketing. Instead of spreading themselves too thin, they should integrate skilled and passionate freelancers into their teams. I did this when building freelancer and I'm still doing it now. With capable people taking care of the different auxiliary aspects of the business, entrepreneurs can focus on building the core product of the company.

[x close](#)

Login

Access not allowed

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REGION

Daily News

Freelancer.com reports jump in jobs, lists fastest growing and declining jobs for Q2

July 08, 2020

Freelancer.com reported the number of jobs posted on its online staffing platform in the second quarter increased by 41% year over year to 605,000 amid the Covid-19 pandemic. The increase over the first quarter was 25%.

Mathematics and statistics jobs were among the fastest growing, according to the company's Fast 50 Report for Q2 2020, listing the 50 fastest-growing and fastest-declining jobs. The report was released last week.

"The freelance online job market continues to flourish in spite of global challenges," Freelancer.com CEO and Chairman Matt Barrie said. "Towards the very end of Q1 2020 was the start of a deluge of demand and Q2 2020, the number of users that joined our platform, including freelancers and employers looking for freelancers, surged enormously."

Jobs posting the biggest increase in demand were "mathematics, Matlab, Mathematica, algorithm." In addition, Freelancer.com reported statistics and statistical analysis jobs were also in the top-10 fastest growing. The company noted the Covid-19 outbreak has increased the volume of data with tracking and tracing of coronavirus cases, hospitalizations, tests conducted and more.

On the other hand, Freelancer.com noted "local jobs" fell by 36% in the second quarter to 1,174 amid the pandemic. These include onsite tasks such as cleaning a home or assembling Ikea furniture.

The fastest-growing jobs on Freelancer.com in Q2 compared to Q1 included:

Rank	Job	Q1 2020	Q2 2020	% Increase
1	Mathematics Matlab and Mathematica Algorithm	8,269	16,501	99.6%
2	API	1,139	2,176	91.0%
3	XML	1,226	2,328	89.9%
4	Project Management	1,810	3,370	86.2%
5	Engineering Mechanical Engineering Electrical Engineering Civil Engineering	12,442	22,481	80.7%
6	Adobe Flash	1,168	2,058	76.2%
7	Statistics, Statistical Analysis	4,241	7,397	74.4%
8	Legal, Legal Research	2,887	4,852	68.1%
9	Game Design	1,549	2,602	

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Gig Economy Leader Freelancer.com's CEO Matt Barrie Addresses Platform's Solution to COVID-19's Impact on Employment

March 31, 2020 05:00 AM Eastern Daylight Time

SYDNEY--([BUSINESS WIRE](#))--Australia-based Freelancer.com today announced CEO Matt Barrie's plan to address rising global unemployment and its plan to expand its platform to meet the growing worldwide demand for project and hourly workers. The move comes as the world's largest crowdsourcing and freelancing platform is taking measures to highlight how remote workers and freelancers have valuable opportunities to meet growing financial pressures.

"The COVID-19 crisis is critically impacting the psyche of both employees and employers globally," said Barrie, who founded Freelancer.com in 2009 in anticipation of the globalization of the world's workforce. "Nearly 3.3 million jobless claims were filed in the U.S. last week, leaving consumers concerned about paying bills, their investments and their financial future. Freelancer.com is committed to expanding its capabilities to assist those with in-demand skills a solution and hope for a better future."

Freelancer.com has more than 42 million registered users who have posted over 17 million jobs and contests to date in over 1,600 areas as diverse as website development, logo design, marketing, copywriting, astrophysics, aerospace engineering and manufacturing, among others. This versatility provides both employers and freelancers the option to best match jobs and projects with specific talents.

Barrie points to how the current health crisis has – and will continue to – result in a dramatic shift in the use of remote workers contributing to the 'gig' (remote/freelancer) economy. Among the topics he will discuss:

- Tips for first-time remote workers
- How working from home will positively impact the global economy
- How employers can use Freelancer.com to hire remote workers

Barrie is an award-winning technology entrepreneur. Freelancer Limited listed on the Australian Securities Exchange in 2013 under the ticker ASX:FLN. Matt is also chief executive of Escrow.com, a world leader in secure online payments with over \$2.7 billion in transactions secured. Matt is a prolific speaker globally and has headlined at SXSW, The Summit Series, Tony Robbins, The Next Web, the New York Times, Bloomberg TV, the Wall Street Journal, TechCrunch, BRW and the Economist.

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#Hashtags

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[#coronavirus](#)

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[#gigeconomy](#)

[#gigworker](#)

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10	Game Development	2,365	3,878	64.0%
11	Metatrader	1,632	2,655	62.7%
12	Computer Security	1,108	1,796	62.1%
13	2D Animation	1,573	2,497	58.7%
14	YouTube	1,596	2,532	58.7%
15	Objective C, C Programming	11,832	18,599	57.2%
16	Shopify Templates, Shopping Carts, eCommerce, Shopify, WooCommerce	17,711	27,343	54.4%
17	Circuit Design	1,062	1,631	53.6%
18	Electronics	3,703	5,628	52.0%
19	Java, React Native	16,086	24,209	50.5%
20	Photography	3,081	4,550	47.7%
21	Python, Django	16,454	24,073	46.3%
22	iOS Development, Flutter Swift iPad, App Developer Mobile App Development iPhone	54,536	79,635	46.0%
23	Finance Accounting Financial Research	8,117	11,763	45.0%
24	Banner Design	7,888	11,404	44.6%
25	Academic Writing	3,762	5,422	44.1%

The fastest-declining jobs on Freelancer.com in Q2 compared to Q1 included:

Rank	Job Name	Job Count Q1 2020	Job Count Q2 2020	% Decl
1	Local Job	1,824	1,174	-35.6%
2	Writing	1,036	810	-21.8%
3	Excel VBA	1,125	891	-20.8%
4	General Office, Typing, Virtual Assistant	10,990	9,202	-16.4%
5	Resumes	1,653	1,389	-16.0%
6	Email Handling	2,756	2,349	-14.8%
7	Bookkeeping	1,809	1,569	-13.3%
8	Call Center Customer Service CRM	5,841	5,197	-11.0%
9	Internet Research Web Search	14,910	13,652	-8.4%
10	Microsoft Office	3,768	3,452	-8.4%
11	Communications	1,087	996	-8.4%
12	Data Scraping, Data Extraction	3,101	2,875	

13	Video Upload	1,314	1,259	-4.2%
14	Business Cards	2,969	2,883	-3.0%
15	JSON	1,009	982	-2.7%
16	Leads Telemarketing	5,845	5,725	-2.1%
17	Hindi, Russian, English (UK), French, English (US), Transcription, Spanish, German, English Grammar	42,463	41,889	-1.4%
18	Data Analytics, Data Mining	6,039	5,967	-1.2%
19	Adobe InDesign	3,201	3,167	-1.1%
20	Testing / QA	1,273	1,286	1.0%
21	Icon Design	1,589	1,619	1.9%
22	Photo Editing	7,549	7,771	2.9%
23	PSD to HTML	1,889	1,952	3.3%
24	Article Submission	1,064	1,104	3.8%
25	Editing	7,518	7,832	4.2%

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EXHIBIT 5

Trademark/Service Mark Application, Principal Register

Serial Number: 77949217

Filing Date: 03/03/2010

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77949217
MARK INFORMATION	
*MARK	FREELANCER
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	FREELANCER
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Freelancer Technology Pty Limited
*STREET	5/36 Bayswater Road
*CITY	Potts Point NSW
*COUNTRY	Australia
*ZIP/POSTAL CODE (Required for U.S. applicants only)	2011
EMAIL ADDRESS	XXXX
LEGAL ENTITY INFORMATION	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Australia
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	009
*IDENTIFICATION	Downloadable computer software for use in website authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, playing, storing and organizing text, data, images, audio files, video files and electronic games; computer software for personal information management; computer software for use in recording, organizing, transmitting, manipulating, and reviewing text, data, audio files, video files and electronic games in connection with computers, television set-top boxes, music players, video players, media players, cellular phones, and portable and handheld digital electronic devices; computer software for accessing, browsing and searching online databases; computer software to enable users to program and distribute audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related and educational programs via communications networks; computer

	software for identifying, locating, grouping, distributing, and managing data and links between computer servers and users connected to electronic communications networks.
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	035
*IDENTIFICATION	Online retail store services; online business directories in the field of employment; providing online project management services including scheduling, accounting, payment and development.
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	036
*IDENTIFICATION	Electronic payment services, namely, processing payments for the purchase of goods and services via an electronic communications network; electronic funds transfer services; online escrow milestone payment services.
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	038
*IDENTIFICATION	Providing on-line electronic bulletin boards for transmission of messages among computer users concerning job opportunities; providing turnkey e-commerce websites for others.
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	042
*IDENTIFICATION	Computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in business networking; computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access recruitment, project management, dispute resolution, employment, employment directory, business directory, and job posting resources; providing a website allowing users to post messages offering or seeking job opportunities; application service provider featuring application programming interface (API) software for use in building software applications for advertising, project management, user feedback and employment services.
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	045
*IDENTIFICATION	Dispute resolution services; social networking services, namely, evaluating the reputation, reliability, and integrity of individual services providers and purchasers; certification and verification services.
FILING BASIS	SECTION 1(b)
ATTORNEY INFORMATION	
NAME	Marc M. Gorelnik
ATTORNEY DOCKET NUMBER	028118-000100US
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FAX	(415) 576-0300
EMAIL ADDRESS	mmgorelnik@townsend.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	6
FEE PER CLASS	325
*TOTAL FEE DUE	1950
*TOTAL FEE PAID	1950
SIGNATURE INFORMATION	
ORIGINAL PDF FILE	hw_38104128234-122930643_._ Signed Declaration.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT9\IMAGEOUT9\779\492\77949217\xml1\APP0003.JPG
SIGNATORY'S NAME	Matt Barrie
SIGNATORY'S POSITION	Chief Executive Officer

Trademark/Service Mark Application, Principal Register

Serial Number: 77949217

Filing Date: 03/03/2010

To the Commissioner for Trademarks:

MARK: FREELANCER (Standard Characters, see [mark](#))

The literal element of the mark consists of FREELANCER.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Freelancer Technology Pty Limited, a limited liability company legally organized under the laws of Australia, having an address of

5/36 Bayswater Road
Potts Point NSW 2011
Australia

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 009: Downloadable computer software for use in website authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, playing, storing and organizing text, data, images, audio files, video files and electronic games; computer software for personal information management; computer software for use in recording, organizing, transmitting, manipulating, and reviewing text, data, audio files, video files and electronic games in connection with computers, television set-top boxes, music players, video players, media players, cellular phones, and portable and handheld digital electronic devices; computer software for accessing, browsing and searching online databases; computer software to enable users to program and distribute audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related and educational programs via communications networks; computer software for identifying, locating, grouping, distributing, and managing data and links between computer servers and users connected to electronic communications networks.

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

International Class 035: Online retail store services; online business directories in the field of employment; providing online project management services including scheduling, accounting, payment and development.

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

International Class 036: Electronic payment services, namely, processing payments for the purchase of goods and services via an electronic communications network; electronic funds transfer services; online escrow milestone payment services.

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

International Class 038: Providing on-line electronic bulletin boards for transmission of messages among computer users concerning job opportunities; providing turnkey e-commerce websites for others.

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

International Class 042: Computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in business networking; computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access recruitment, project management, dispute resolution, employment, employment directory, business directory, and job posting resources; providing a website allowing users to post messages offering or seeking job opportunities; application service provider featuring application programming interface (API) software for use in building software applications for advertising, project management, user feedback and employment services.

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

International Class 045: Dispute resolution services; social networking services, namely, evaluating the reputation, reliability, and integrity of individual services providers and purchasers; certification and verification services.

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

Marc M. Gorelnik of Townsend and Townsend and Crew LLP

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United States

The attorney docket/reference number is 028118-000100US.

The applicant's current Correspondence Information:

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A fee payment in the amount of \$1950 has been submitted with the application, representing payment for 6 class(es).

Declaration

Original PDF file:

[hw_38104128234-122930643_.Signed_Declaration.pdf](#)

Converted PDF file(s) (1 page)

[Signature File1](#)

Signatory's Name: Matt Barrie

Signatory's Position: Chief Executive Officer

RAM Sale Number: 8828

RAM Accounting Date: 03/03/2010

Serial Number: 77949217

Internet Transmission Date: Wed Mar 03 12:35:15 EST 2010

TEAS Stamp: USPTO/BAS-XX.XXX.XXX.XXX-201003031235153

72135-77949217-460e523fd6965b98315ef95f8

57f2e47cd1-DA-8828-20100303122930643421

FREELANCER

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051 (b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature Section:Signature: _____

Signatory's Name: Matt Barrie

Signatory's Position: Chief Executive Officer

Date Signed: 24th Feb 2010

NOTE TO APPLICANT: When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page **must** include both the signature information **and** the boilerplate declaration language. Do **not** include the entire application, but do ensure that the boilerplate declaration language actually appears; *a signature by itself will not be acceptable*. If, due to browser limitations, the boilerplate declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the

you copy, print, and submit the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.

<http://teas.uspto.gov/forms/xslt.service?xsl=hsign&stamp=USPTO/BAS-38.104.128.234-2...> 2/23/2010

EXHIBIT 6

Trademark/Service Mark Amendment to Allege Use (15 U.S.C. Section 1051(c))

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77949217
LAW OFFICE ASSIGNED	LAW OFFICE 110
EXTENSION OF USE	NO
MARK SECTION	
MARK	http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=77949217
LITERAL ELEMENT	FREELANCER
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
OWNER SECTION (current)	
NAME	Freelancer Technology Pty Limited
STREET	Suite 52 Jones Bay Wharf, 26-32 Pirrama
CITY	Pymont
ZIP/POSTAL CODE	NSW2009
COUNTRY	Australia
EMAIL	XXXX
OWNER SECTION (proposed)	
NAME	Freelancer Technology Pty Limited
STREET	Ste 52 Jones Bay Wharf, 26-32 Pirrama Rd
CITY	Pymont, New South Wales
ZIP/POSTAL CODE	2009
COUNTRY	Australia
EMAIL	
CORRESPONDENCE SECTION (current)	
NAME	MARC M. GORELNIK
FIRM NAME	TOWNSEND AND TOWNSEND AND CREW LLP
STREET	2 EMBARCADERO CTR FL 8
CITY	SAN FRANCISCO

STATE	California
POSTAL CODE	94111-3833
COUNTRY	United States
PHONE	(415) 576-0200
FAX	(415) 576-0300
EMAIL	rpeterston@kilpatricktownsend.com;docket@kilpatricktownsend.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	92555-783259
CORRESPONDENCE SECTION (proposed)	
NAME	MARC M. GORELNIK
FIRM NAME	TOWNSEND AND TOWNSEND AND CREW LLP
STREET	2 EMBARCADERO CTR FL 8
CITY	SAN FRANCISCO
STATE	California
POSTAL CODE	94111-3833
COUNTRY	United States
PHONE	(415) 576-0200
FAX	(415) 576-0300
EMAIL	rpeterston@kilpatricktownsend.com;ipefiling@kilpatricktownsend.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	92555-783259
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	009
CURRENT IDENTIFICATION	Downloadable computer software for use in website authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, playing, storing and organizing text, data, images, audio files, and video files; computer software for personal information management; computer software for use in recording, organizing, transmitting, manipulating, and reviewing text, data, audio files, and video files in connection with computers, television set-top boxes, music players, video players, media players, cellular phones, and portable and handheld digital electronic devices; computer software for accessing, browsing and searching online databases; computer software to enable users to program and distribute audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, cultural events, and entertainment-related and educational programs via communications networks; computer software for identifying, locating, grouping, distributing, and managing data and links between computer servers and users connected to electronic communications networks
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	12/04/2009
FIRST USE IN COMMERCE DATE	12/04/2009
SPECIMEN FILE NAME(S)	

ORIGINAL PDF FILE	SPN0-20921320650-191543162_.. Class_9_Specimen.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\779\492\77949217\xml3\AAU0002.JPG
SPECIMEN DESCRIPTION	screenshot of the goods
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	Online retail store services featuring computer software; online business directories in the field of employment; providing a website allowing users to post messages offering or seeking job opportunities; providing online project management services for others for business purposes in the field of scheduling, accounting, business project management and business development, providing an on-line searchable database featuring classified ad listings and employment opportunities
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	12/04/2009
FIRST USE IN COMMERCE DATE	12/04/2009
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPN1-20921320650-164621252_.. Class_35_Specimen.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\779\492\77949217\xml3\AAU0003.JPG
SPECIMEN DESCRIPTION	page from a website describing the services
INTERNATIONAL CLASS	036
CURRENT IDENTIFICATION	Electronic payment services, namely, processing electronic funds transfer, credit card, debit card, electronic check and electronic payments via an electronic communications network; electronic funds transfer services; online escrow service for payment of services
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	12/04/2009
FIRST USE IN COMMERCE DATE	12/04/2009
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPN2-1-20921320650-191543162_.. Class_36_Specimen.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\779\492\77949217\xml3\AAU0004.JPG
SPECIMEN DESCRIPTION	page from a website describing the services
INTERNATIONAL CLASS	038
CURRENT IDENTIFICATION	Providing on-line electronic bulletin boards for transmission of messages among computer users concerning job opportunities
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	12/04/2009

FIRST USE IN COMMERCE DATE	12/04/2009
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPN3-20921320650-164621252 . Class_38_Specimen_1.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\779\492\77949217\xml3\AAU0005.JPG
ORIGINAL PDF FILE	SPN3-20921320650-164621252 . Class_38_Specimen_2.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\779\492\77949217\xml3\AAU0006.JPG
SPECIMEN DESCRIPTION	page from a website describing the services
INTERNATIONAL CLASS	042
CURRENT IDENTIFICATION	Computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in business networking; computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access recruitment, project management, dispute resolution, employment, employment directory, business directory, and job posting resources; application service provider featuring application programming interface (API) software for use in building software applications for advertising, project management, user feedback and employment services; Computer services, namely, designing and implementing on demand web sites in the nature of turnkey packages allowing customers to create ecommerce web sites for the purpose of uploading photos and creating gifts; Testing, analysis and evaluation of the goods and services of others for the purpose of certification; creating an on-line community for registered users to evaluate the reputation, reliability, and integrity of individual services providers and customers, showcase their skills, get feedback from their peers, form virtual communities, engage in social networking and improve their talent; design, creation, hosting, maintenance of websites for others
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	12/04/2009
FIRST USE IN COMMERCE DATE	12/04/2009
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPN4-20921320650-164621252 . Class_42_Specimen.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\779\492\77949217\xml3\AAU0007.JPG
SPECIMEN DESCRIPTION	page from a website describing the services
INTERNATIONAL CLASS	045
CURRENT IDENTIFICATION	Dispute resolution services; Identification verification services, namely, providing authentication of personal identification information; online social networking services
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	12/04/2009
FIRST USE IN COMMERCE DATE	12/04/2009
SPECIMEN FILE NAME(S)	
ORIGINAL PDF	SPN5-20921320650-164621252__Class_45_Specimen.pdf

FILE	
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\779\492\77949217\xml3\AAU0008.JPG
SPECIMEN DESCRIPTION	page from a website describing the services
REQUEST TO DIVIDE	NO
PAYMENT SECTION	
NUMBER OF CLASSES IN USE	6
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	600
TOTAL AMOUNT	600
SIGNATURE SECTION	
ORIGINAL PDF FILE	hw_20921320650-191543162_._TURE_PAGE_FOR_FILING_Amendment_to_Allege_Use_for_FREELANCER.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\779\492\77949217\xml3\AAU0009.JPG
SIGNATORY'S NAME	Matt Barrie
SIGNATORY'S POSITION	Chief Executive Officer
FILING INFORMATION	
SUBMIT DATE	Fri Jul 20 13:30:15 EDT 2012
TEAS STAMP	USPTO/AAU-XXX.XXX.XXX.XX- 20120720133015135813-7794 9217-490fdb5157f2649367f 2ba7fe2a860a91c-CC-10735- 20120720132053410385

**Trademark/Service Mark Amendment to Allege Use
(15 U.S.C. Section 1051(c))**

To the Commissioner for Trademarks:

MARK: FREELANCER(Standard Characters, see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=77949217>)

SERIAL NUMBER: 77949217

The applicant, Freelancer Technology Pty Limited, having an address of
Ste 52 Jones Bay Wharf, 26-32 Pirrama Rd
Pyrmont, New South Wales, 2009
Australia

is submitting the following allegation of use information:

For International Class 009:

Current identification: Downloadable computer software for use in website authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, playing, storing and organizing text, data, images, audio files, and video files; computer software for personal information management; computer software for use in recording, organizing, transmitting, manipulating, and reviewing text, data, audio files, and video files in connection with computers, television set-top boxes, music players, video players, media players, cellular phones, and portable and handheld digital electronic devices; computer software for accessing, browsing and searching online databases; computer software to enable users to program and distribute audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, cultural events, and entertainment-related and educational programs via communications networks; computer software for identifying, locating, grouping, distributing, and managing data and links between computer servers and users connected to electronic communications networks

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 12/04/2009, and first used in commerce at least as early as 12/04/2009, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) screenshot of the goods.

Original PDF file:

[SPN0-20921320650-191543162 . Class 9 Specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

For International Class 035:

Current identification: Online retail store services featuring computer software; online business directories in the field of employment; providing a website allowing users to post messages offering or seeking job opportunities; providing online project management services for others for business purposes in the field of scheduling, accounting, business project management and business development, providing an on-line searchable database featuring classified ad listings and employment opportunities

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 12/04/2009, and first used in commerce at least as early as 12/04/2009, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) page from a website describing the services.

Original PDF file:

[SPN1-20921320650-164621252 . Class 35 Specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

For International Class 036:

Current identification: Electronic payment services, namely, processing electronic funds transfer, credit card, debit card, electronic check and electronic payments via an electronic communications network; electronic funds transfer services; online escrow service for payment of services

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 12/04/2009, and first used in commerce at least as early as 12/04/2009, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) page from a website describing the services.

Original PDF file:

[SPN2-1-20921320650-191543162 . Class 36 Specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

For International Class 038:

Current identification: Providing on-line electronic bulletin boards for transmission of messages among computer users concerning job opportunities

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 12/04/2009, and first used in commerce at least as early as 12/04/2009, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) page from a website describing the services.

Original PDF file:

[SPN3-20921320650-164621252 . Class 38 Specimen 1.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

Original PDF file:

[SPN3-20921320650-164621252 . Class 38 Specimen 2.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

For International Class 042:

Current identification: Computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in business networking; computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access recruitment, project management, dispute resolution, employment, employment directory, business directory, and job posting resources; application service provider featuring application programming interface (API) software for use in building software applications for advertising, project management, user feedback and employment services; Computer services, namely, designing and implementing on demand web sites in the nature of turnkey packages allowing customers to create ecommerce web sites for the purpose of uploading photos and creating gifts; Testing, analysis and evaluation of the goods and services of others for the purpose of certification; creating an on-line community for registered users to evaluate the reputation, reliability, and integrity of individual services providers and customers, showcase their skills, get feedback from their peers, form virtual communities, engage in social networking and improve their talent; design, creation, hosting, maintenance of websites for others

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 12/04/2009, and first used in commerce at least as early as 12/04/2009, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) page from a website describing the services.

Original PDF file:

[SPN4-20921320650-164621252 . Class 42 Specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

For International Class 045:

Current identification: Dispute resolution services; Identification verification services, namely, providing authentication of personal identification information; online social networking services

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 12/04/2009, and first used in commerce at least as early as 12/04/2009, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) page from a website describing the services.

Original PDF file:

[SPN5-20921320650-164621252 . Class 45 Specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

The applicant is not filing a Request to Divide with this Allegation of Use form.

The applicant's current Correspondence Information: MARC M. GORELNIK of TOWNSEND AND TOWNSEND AND CREW LLP
2 EMBARCADERO CTR FL 8
SAN FRANCISCO, California (CA) 94111-3833
United States (USX)

The docket/reference number is 92555-783259.

The applicant's proposed Correspondence Information: MARC M. GORELNIK of TOWNSEND AND TOWNSEND AND CREW LLP
2 EMBARCADERO CTR FL 8
SAN FRANCISCO, California (CA) 94111-3833
United States (USX)

The docket/reference number is 92555-783259.

The phone number is (415) 576-0200.

The fax number is (415) 576-0300.

The email address is rpeterson@kilpatricktownsend.com;ipefiling@kilpatricktownsend.com.

A fee payment in the amount of \$600 will be submitted with the form, representing payment for the allegation of use for 6 classes.

Declaration

Original PDF file:

[hw_20921320650-191543162 . TURE PAGE FOR FILING Amendment to Allege Use for FREELANCER.pdf](#)

Converted PDF file(s) (1 page)

[Signature File1](#)

Signatory's Name: Matt Barrie

Signatory's Position: Chief Executive Officer

RAM Sale Number: 10735

RAM Accounting Date: 07/20/2012

Serial Number: 77949217

Internet Transmission Date: Fri Jul 20 13:30:15 EDT 2012
TEAS Stamp: USPTO/AAU-XXX.XXX.XXX.XX-201207201330151
35813-77949217-490fdb5157f2649367f2ba7f
e2a860a91c-CC-10735-20120720132053410385



Freelancer.com Desktop App

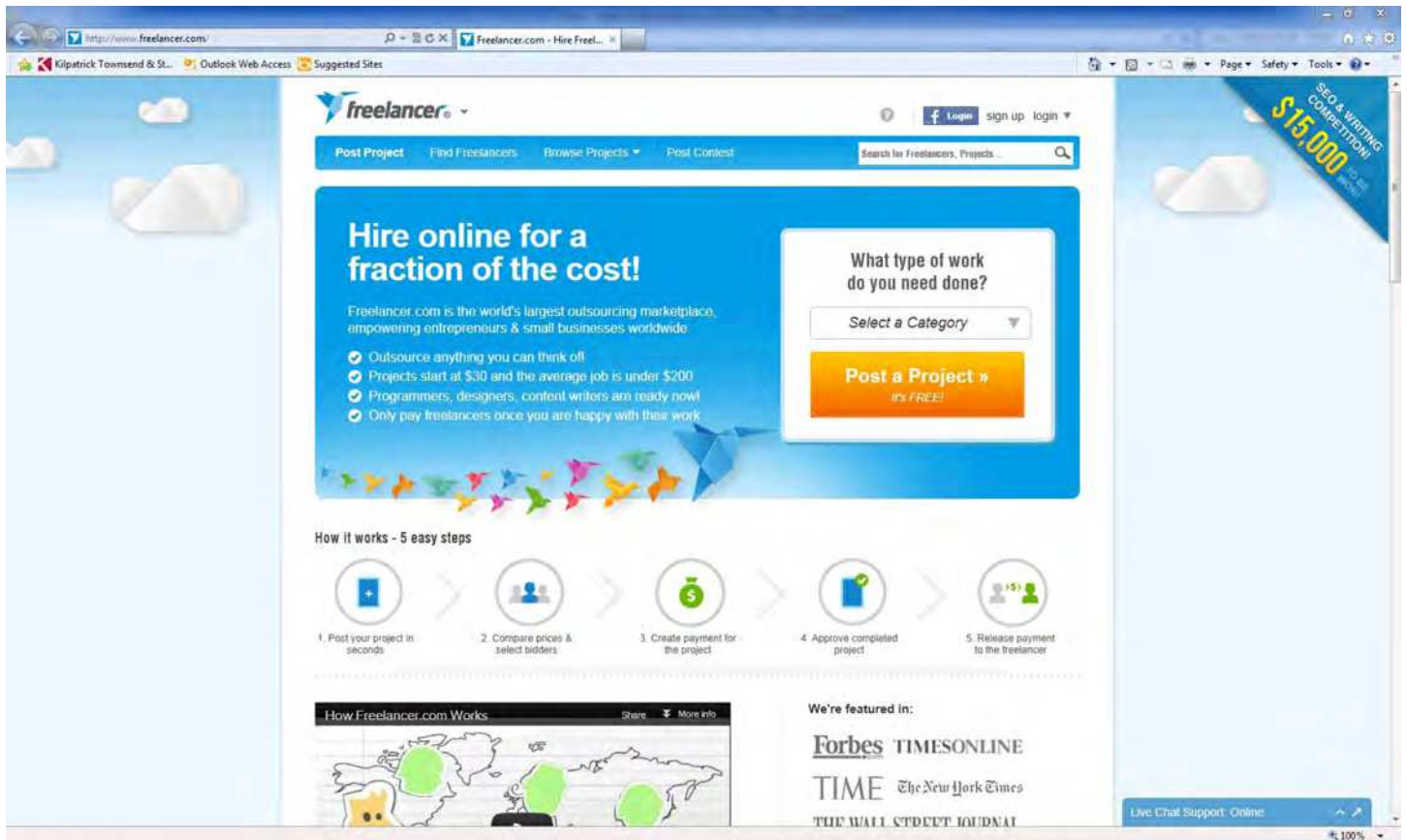


freelancer

Username:

Password:

Login



Financial Dashboard

Manage Transactions

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Create Milestone Payment

[Incoming](#) [Outgoing](#)

Show 5

Freelancer	Project Name	Description	Status	Amount
You have no outgoing milestones				
Showing 0 to 0 of 0 entries				
First Previous Next Last				

Profit & Loss

[1m](#) [3m](#) [6m](#) [1y](#) [2y](#) [USD](#)

There were no earnings or payments during this period.

Quick Stats

[Employer](#) [Freelancer](#)

Projects Posted	Work in Progress	Freelancers Hired
0 Past 30 Days	\$0.00 0 active projects	0 Lifetime
2 Lifetime	\$0.00 0 active milestones	

Financial Position

Period Type: [Quarterly](#) Period: [2012 Q3](#) Currency: [USD](#)

Income Statement	Export: CSV PDF	Balance Sheet	Export: CSV PDF
Income		Net Position	
+ Earnings	0.00	Balance	0.00
+ Other Income	0.00	Accounts Receivable (Milestones)	0.00
Total Expenses	0.00		
Operating Profit (or Expenses)	0.00		
Tax Expense			
Total Tax Expense	0.00		
Net Profit (or Expense)	0.00		

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9702

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freelancers

1,738,133

projects posted

[US \(International\)](#) [\(English\)](#)

Freelancer.com (formerly GetAFreelancer) is the world's largest outsourcing and crowdsourcing marketplace for small business. We have hundreds of thousands of satisfied customers from all over the world. We connect over 3,720,092 employers and freelancers globally from over 234 countries & regions. Through our website, employers can hire freelancers to do work in areas such as software, writing, data entry and design right through to engineering and the sciences, sales and marketing, and accounting & legal services. The average job is under US\$200, making outsourcing for the first time extremely cost effective for small businesses.

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[jhonwilson](#)
2 days ago

 this is at test test test

Respected Client, Thanks for your posting. We are team of design ...



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[+ Add a Message](#)



jw92189

can we see teh winning design?

2 months ago [Reply »](#)



vkvijay006

Congrats Contestlover

2 months ago [Reply »](#)



contestlover

thanx man :)

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Project Name	Type	Bids	Avg (AUD)	Skill Required	Started	Ends
Content Testing	Hourly Unspecified	12	\$6	Testing / QA, Software Testing, Website Testing	Mar 1, 2012	59d 5h
Android Restaurant Menu Software	Fixed	17	\$3840	Android, User Interface / IA, Software Architecture, Software Testing	Mar 1, 2012	5d 23h
Looking for an individual to create a software for Mac	Fixed	Bid Now!	-	Software Architecture, Mac OS, Software Testing	Feb 29, 2012	23d 6h
FEATURED Usability evaluation of 8 websites	Fixed	4	\$125	Software Architecture, Software Testing, Usability Testing	Feb 29, 2012	2d 21h
Software Automating Tasks In Another	Fixed	13	\$156	PHP, C Programming, Software Architecture, Software Testing, C++ Programming	Feb 29, 2012	2d 19h

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[API](#)
[Ads](#)

New Dispute



STAGE 1
IDENTIFY THE ISSUE

STAGE 2
NEGOTIATIONS

STAGE 3
FINAL OFFERS / EVIDENCE

STAGE 4
ARBITRATION

Stage 1 - Identify the Issue

- Most disputes are the result of a simple misunderstanding.
- Our dispute resolution system is designed to allow both parties to resolve the issue amongst themselves.
- Most disputes are resolved without arbitration.
- If an agreement cannot be reached, either party may elect to pay an arbitration fee for our dispute team to resolve the matter.

Declaration

Applicant requests registration of the above-identified trademark/service mark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq., as amended). Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature Section:

Signature:  _____

Signatory's Name: Matt Barrie

Signatory's Position: Chief Executive Officer

Date Signed: 4th July 2012 _____

Signatory's Phone: _____

NOTE TO APPLICANT: When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page **must** include both the signature information **and** the boilerplate declaration language. **Do not** include the entire application, but do ensure that the boilerplate declaration language actually appears; *a signature by itself will not be acceptable*. If, due to browser limitations, the boilerplate declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.

EXHIBIT 7

To: Freelancer Technology Pty Limited (mmgorelnik@townsend.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77949217 - FREELANCER - 028118-00010
Sent: 12/23/2010 8:41:34 PM
Sent As: ECOM110@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
[Attachment - 5](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

APPLICATION SERIAL NO. 77949217

MARK: FREELANCER

77949217

CORRESPONDENT ADDRESS:

MARC M. GORELNIK
TOWNSEND AND TOWNSEND AND CREW LLP
2 EMBARCADERO CTR FL 8
SAN FRANCISCO, CA 94111-3833

CLICK HERE TO RESPOND TO THIS LETTER:
<http://www.uspto.gov/teas/eTEASpageD.htm>

APPLICANT: Freelancer Technology Pty Limited

CORRESPONDENT'S REFERENCE/DOCKET NO :
028118-00010

CORRESPONDENT E-MAIL ADDRESS:
mmgorelnik@townsend.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: **12/23/2010**

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62, 2.65(a); TMEP §§711, 718.03.

This Office action supersedes any previous Office action issued in connection with this application.

SECTION 2(e)(1) REFUSAL – MERELY DESCRIPTIVE

Registration is refused because the applied-for mark merely describes a feature and characteristic / of applicant's goods. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 *et seq.*

A mark is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the specified goods and/or services. TMEP §1209.01(b); *see In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005); *In re Gyulay*, 820 F.2d 1216, 1217-18, 3 USPQ2d 1009, 1010 (Fed. Cir. 1987).

Applicant has applied to register the mark FREELANCER for use in conjunction with “online business directories in the field of employment; providing a website allowing users to post messages offering or seeking job opportunities; providing online project management services for others for business purposes in the field of scheduling, accounting, business project management and business development, providing an on-line searchable database featuring classified ad listings and employment opportunities”, “Providing on-line electronic bulletin boards for transmission of messages among computer users concerning job opportunities”, and “Computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in business networking; computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access recruitment, project management, dispute resolution, employment, employment directory, business directory, and job posting resources; application service provider featuring application programming interface (API) software for use in building software applications for advertising, project management, user feedback and employment services; Computer services, namely, designing and implementing on demand web sites in the nature of turnkey packages allowing customers to create ecommerce web sites for the purpose of uploading photos and creating gifts; Testing, analysis and evaluation of the goods and services of others for the purpose of certification; creating an on-line community for registered users to evaluate the reputation, reliability, and integrity of individual services providers and customers, showcase their skills, get feedback from their peers, form virtual communities, engage in social networking and improve their talent; design, creation, hosting, maintenance of websites for others”.

All of the foregoing services appear, based on the evidence provided from the applicant’s own website, to be directed towards Freelancers, defined as “someone who is not permanently employed by a particular company, but sells their services to more than one company”. Please see the attached definition of the term “FREELANCER”. Also please refer to the attached evidence from <http://www.freelancer.com/info/api.php>, the applicant’s own website, in which the applied for services are shown to enable and facilitate freelancers working with potential employers.

Therefore, the mark FREELANCER, as applied to the identified goods and services, merely describes a feature of applicant’s goods and services, namely, that the goods and services provided by the applicant are solely for the purpose of enabling freelancers to work with potential employers as well as facilitate the offering and seeking of job opportunities. Accordingly, the proposed mark is merely descriptive, and registration is refused on the Principal Register under Section 2(e)1.

SUPPLEMENTAL REGISTER

A mark in an application under Trademark Act Section 1(b) is not eligible for registration on the Supplemental Register until an acceptable amendment to allege use under 37 C.F.R. §2.76 has been filed. 37 C.F.R. §§2.47(d), 2.75(b); TMEP §§815.02, 1102.03. When a Section 1(b) application is successfully amended to the Supplemental Register, the effective filing date of the application will be the date on which applicant met the minimum filing requirements of 37 C.F.R. §2.76(e) for the amendment to allege use. 37 C.F.R. §2.75(b); TMEP §§816.02, 1102.03. Although registration on the Supplemental Register does not afford all the benefits of registration on the Principal Register, it does provide the following advantages:

- The registrant may use the registration symbol ®;
- The registration is protected against registration of a confusingly similar mark under Trademark Act Section 2(d);
- The registrant may bring suit for infringement in federal court; and
- The registration may serve as the basis for a filing in a foreign country under the Paris Convention and other international agreements.

See 15 U.S.C. §§1052(d), 1091, 1094; TMEP §815.

PRIOR-FILED APPLICATION

The effective filing date of pending Application Serial No. 77948581 precedes applicant’s filing date. See attached referenced application. If the mark in the referenced application registers, applicant’s mark may be refused registration under Trademark Act Section 2(d) because of a likelihood of confusion between the two marks. See 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, upon receipt of applicant’s response to this Office action, action on this application may be suspended pending final disposition of the earlier-filed referenced application.

In response to this Office action, applicant may present arguments in support of registration by addressing the issue of the potential conflict between applicant’s mark and the mark in the referenced application. Applicant’s election not to submit arguments at this time in no way limits applicant’s right to address this issue later if a refusal under Section 2(d) issues.

Response Guidelines:

There is no required format or form for responding to this Office action. The Office recommends applicants use the Trademark Electronic Application System (TEAS) to respond to Office actions online at <http://www.uspto.gov/teas/index.html>. However, if applicant responds on paper via regular mail, the response should include the following information: (1) the name and law office number of the examining attorney; (2) the serial number of this application; (3) the mailing date of this Office action; and (4) applicant's telephone number.

The response should address each refusal and/or requirement raised in the Office action. If a refusal has issued, applicant may wish to argue against the refusal, i.e., submit arguments and/or evidence as to why the refusal should be withdrawn and why the mark should register. To respond to requirements, applicant should simply set forth in writing the required changes or statements and request that the Office enter them into the application record.

The response *must* be signed by applicant or someone with legal authority to bind applicant (i.e., a corporate officer of a corporate applicant, the equivalent of an officer for unincorporated organizations or limited liability company applicants, a general partner of a partnership applicant, each applicant for applications with multiple individual applicants, etc.). TMEP §§712 *et seq.*

If applicant has questions about its application or needs assistance in responding to this Office action, please telephone the assigned trademark examining attorney directly at the number below.


/Sanjeev K. Vohra/
Sanjeev K. Vohra
Trademark Examining Attorney
Law Office 110
571.272.5885 - Work
571.273.5885 - Fax
sanjeev.vohra@uspto.gov

TO RESPOND TO THIS LETTER: Use the Trademark Electronic Application System (TEAS) response form at <http://teasroa.uspto.gov/roa/>. Please wait 48-72 hours from the issue/mailling date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.


PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.



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
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or **freelance**  Pronunciation /'friːlæns/













someone who is not permanently employed by a particular company, but sells their services to more than one company


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Futurists and Scientists hypothesise about a coming technological singularity, a point in time in the future where it is believed that man-machine intelligence will explode, accelerating technological progress at a rate so quickly that the future will be radically different from today. So different, that as mere mortals, limited by the human brain, we cannot even comprehend this future.

Whether or not the singularity will eventuate, man and machine have become closer with the launch of the [FreelancerAPI](#). For over 60 years, humans have programmed computers through software. This API, for the first time, provides a sophisticated programming interface for humans, for use by software. This API allows software for the first time to send sophisticated and complex tasks such as real engineering or problem solving to humans, retrieve the results and pay for the completed work.

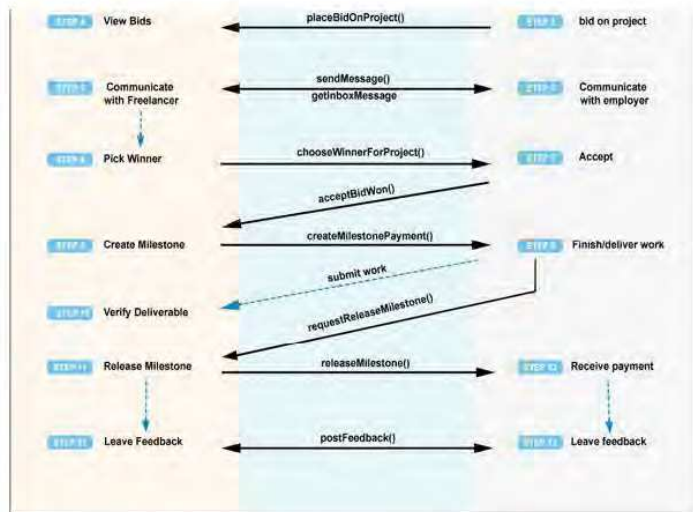
There are countless possibilities for the API and Freelancer.com is actively looking to engage with its community of Employers and Freelancers to embrace those possibilities.

Want more information? Keep up-to-date with our [blog](#) where all major announcements will be covered, or if you're a developer, keeping reading for more on our API Sandbox, Developer Wiki and environment.

The diagram shows a workflow from left to right:

- Employer:** Represented by a person icon. A blue box labeled "STEP 1" contains the text "Post Project".
- freelancer:** The central platform logo.
- Freelancers:** Represented by a group of person icons. A blue box labeled "STEP 2" contains the text "Search Projects".

A large black arrow points from the Employer side to the Freelancers side, with the text `post(NewProject())` written above it. Below the arrow, the text `placeBidOnProject()` is visible, indicating the next step in the process.



Information for Developers

The Freelancer API allows developers to create new and innovative ways for freelancers, employers and even other software to interact with the largest global jobs marketplace. The API allows developers to utilise the entire functionality of Freelancer.com.

The API is HTTP and XML based, using OAuth (<http://oauth.net/>) for authentication.

We have created a [Developer Wiki](#) that contains all the information you need to start developing applications for the Freelancer API. There is a getting started guide, flow chart diagrams, how to guides and we will post sample code. There will also be an area to share the applications you have created.

We have created a [sandbox environment](#) where you can test your applications in a controlled environment before releasing it to the world. The sandbox environment is designed in a seamless way, so that you can migrate your application to the main site easily.

API Function Call Overview

/User/	/Account/Message/	/Account/Profile/	/Account/Payment/
getUsersBySearch	getInboxMessages	getProfileInfo	getAccountBalanceStatus
getUserFeedbacks	getSentMessages	addProfileInfo	getAccountTransactionList

getUsersFeedbacks	getMessages	getMessages	getAccountMilestoneList
getUserDetails	getInreadCount	getAccountMilestoneList	getAccountWithdrawList
/Job/	sendMessage	/Account/Employer/	requestReleaseMilestone
getJobList		getPostedProjectList	requestWithdraw
/Project/	/Account/Common/	postNewDraftProject	requestMilestonePayment
searchProjects	requestCancelProject	postNewFinalProject	cancelMilestone
getProjectFees	postFeedback	chooseWinnerForProject	requestCancelWithdraw
getProjectDetails	postReplyForFeedback	inviteUserForProject	requestCancelMilestone
getPublicMessages	requestWithdrawFeedback	updateProjectDetails	requestMilestone
getBidsDetails	/Notification/	postNewProject	
postPublicMessage	getNotification	/Account/Freelancer/	
	getNews	getProjectListOrPlacedBids	
		placeBidOnProject	
		retractBidFromProject	
		acceptBidWon	

Public:
public
Account Access:
read-only
write
trusted transactions

Patent Pending & Copyright Freelancer Technology Pty Ltd 2010

WHAT IS FREELANCER.COM?

Freelancer.com (formerly GetAFreelancer) is the world's largest outsourcing and crowdsourcing marketplace for small business. We have hundreds of thousands of satisfied customers from all over the world. We connect over 1.9 million employers and freelancers globally from over 234 countries & regions. Through our website, employers can hire freelancers to do work in areas such as software, writing, data entry and design right through to engineering and the sciences, sales and marketing, and accounting & legal services. The average job is under US\$200, making outsourcing for the first time extremely cost effective for small businesses.

Would you like to find freelance jobs and make money online? Just sign up to get started! We have created a safe environment for both freelancers and employers via our secure milestone payment system. We have thousands of freelance coders, writers, programmers, designers, marketers and more. Getting the best web design, professional programming, custom writing or affordable marketing has never been easier! Try outsourcing for free today! Don't forget to bookmark our homepage for your next project or job.

READ MORE ABOUT THE COMPANY

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To: Freelancer Technology Pty Limited (mmgorelnik@townsend.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77949217 - FREELANCER - 028118-00010
Sent: 12/23/2010 8:41:38 PM
Sent As: ECOM110@USPTO.GOV
Attachments:

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

**USPTO OFFICE ACTION HAS ISSUED ON 12/23/2010 FOR
SERIAL NO. 77949217**

Please follow the instructions below to continue the prosecution of your application:

TO READ OFFICE ACTION: Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this e-mail notification.

RESPONSE IS REQUIRED: You should carefully review the Office action to determine (1) how to respond; and (2) the applicable [response time period](#). Your response deadline will be calculated from 12/23/2010 (or sooner if specified in the office action).

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System [Response Form](#).

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

WARNING

Failure to file the required response by the applicable deadline will result in the [ABANDONMENT](#) of your application.

EXHIBIT 8

To: Freelancer Technology Pty Limited (mmgorelnik@townsend.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77949217 - FREELANCER - 028118-00010
Sent: 1/31/2012 9:36:09 PM
Sent As: ECOM110@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
[Attachment - 5](#)
[Attachment - 6](#)
[Attachment - 7](#)
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[Attachment - 10](#)
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[Attachment - 12](#)
[Attachment - 13](#)
[Attachment - 14](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

APPLICATION SERIAL NO. 77949217

MARK: FREELANCER

77949217

CORRESPONDENT ADDRESS:

MARC M. GORELNIK
TOWNSEND AND TOWNSEND AND CREW LLP
2 EMBARCADERO CTR FL 8
SAN FRANCISCO, CA 94111-3833

CLICK HERE TO RESPOND TO THIS LETTER:
http://www.uspto.gov/trademarks/teas/response_forms.jsp

APPLICANT: Freelancer Technology Pty Limited

CORRESPONDENT'S REFERENCE/DOCKET NO :
028118-00010

CORRESPONDENT E-MAIL ADDRESS:
mmgorelnik@townsend.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 1/31/2012

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62, 2.65(a); TMEP §§711, 718.03.

Application Serial No. 7948581 has been abandoned, and as such, the potential prior pending advisory is obviated. The refusal based on Section

2(e)1 is now maintained and continued.

THIS PARTIAL REFUSAL APPLIES ONLY TO THE SERVICES SPECIFIED THEREIN

SECTION 2(e)(1) REFUSAL – MERELY DESCRIPTIVE

Registration is refused because the applied-for mark merely describes a feature and characteristic of applicant's goods and/or services. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 *et seq.*

A mark is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the specified goods and/or services. TMEP §1209.01(b); *see In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005); *In re Gyulay*, 820 F.2d 1216, 1217-18, 3 USPQ2d 1009, 1010 (Fed. Cir. 1987).

The determination of whether a mark is merely descriptive is considered in relation to the identified goods and/or services, not in the abstract. *In re Abcor Dev. Corp.*, 588 F.2d 811, 814, 200 USPQ 215, 218 (C.C.P.A. 1978); TMEP §1209.01(b); *see, e.g., In re Polo Int'l Inc.*, 51 USPQ2d 1061 (TTAB 1999) (finding DOC in DOC-CONTROL would be understood to refer to the "documents" managed by applicant's software, not "doctor" as shown in dictionary definition); *In re Digital Research Inc.*, 4 USPQ2d 1242 (TTAB 1987) (finding CONCURRENT PC-DOS merely descriptive of "computer programs recorded on disk" where relevant trade used the denomination "concurrent" as a descriptor of a particular type of operating system). "Whether consumers could guess what the product is from consideration of the mark alone is not the test." *In re Am. Greetings Corp.*, 226 USPQ 365, 366 (TTAB 1985).

Applicant has applied to register the mark FREELANCER for use in conjunction with "online business directories in the field of employment; providing a website allowing users to post messages offering or seeking job opportunities; providing online project management services for others for business purposes in the field of scheduling, accounting, business project management and business development, providing an on-line searchable database featuring classified ad listings and employment opportunities", "Providing on-line electronic bulletin boards for transmission of messages among computer users concerning job opportunities", and "Computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in business networking; computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access recruitment, project management, dispute resolution, employment, employment directory, business directory, and job posting resources; application service provider featuring application programming interface (API) software for use in building software applications for advertising, project management, user feedback and employment services; Computer services, namely, designing and implementing on demand web sites in the nature of turnkey packages allowing customers to create ecommerce web sites for the purpose of uploading photos and creating gifts; Testing, analysis and evaluation of the goods and services of others for the purpose of certification; creating an on-line community for registered users to evaluate the reputation, reliability, and integrity of individual services providers and customers, showcase their skills, get feedback from their peers, form virtual communities, engage in social networking and improve their talent; design, creation, hosting, maintenance of websites for others".

All of the foregoing services appear, based on the evidence provided from the applicant's own website, to be directed towards Freelancers, defined as "someone who is not permanently employed by a particular company, but sells their services to more than one company". Please see the attached definition of the term "FREELANCER". Also please refer to the attached evidence from <http://www.freelancer.com/info/api.php> and <http://www.freelancer.com/faq/view.php>, two pages from the applicant's own website, in which the applied for services are shown to enable and facilitate freelancers working with potential employers.

Therefore, the mark FREELANCER, as applied to the identified goods and services, merely describes a feature of applicant's goods and services, namely, that the goods and services provided by the applicant are solely for the purpose of enabling freelancers to work with potential employers as well as facilitate the offering and seeking of job opportunities. Accordingly, the proposed mark is merely descriptive, and registration is refused on the Principal Register under Section 2(e)1.

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

PARTIAL ABANDONMENT - ADVISORY

If applicant does not respond to this Office action within the six-month period for response, the following services in International Classes 35, 38, and 42 will be deleted from the application: “online business directories in the field of employment; providing a website allowing users to post messages offering or seeking job opportunities; providing online project management services for others for business purposes in the field of scheduling, accounting, business project management and business development, providing an on-line searchable database featuring classified ad listings and employment opportunities”, “Providing on-line electronic bulletin boards for transmission of messages among computer users concerning job opportunities”, and “Computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in business networking; computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access recruitment, project management, dispute resolution, employment, employment directory, business directory, and job posting resources; application service provider featuring application programming interface (API) software for use in building software applications for advertising, project management, user feedback and employment services; Computer services, namely, designing and implementing on demand web sites in the nature of turnkey packages allowing customers to create ecommerce web sites for the purpose of uploading photos and creating gifts; Testing, analysis and evaluation of the goods and services of others for the purpose of certification; creating an on-line community for registered users to evaluate the reputation, reliability, and integrity of individual services providers and customers, showcase their skills, get feedback from their peers, form virtual communities, engage in social networking and improve their talent; design, creation, hosting, maintenance of websites for others”. The application will then proceed with the remaining goods and/or services. See 37 C.F.R. §2.65(a); TMEP §718.02(a).

Response Guidelines:

There is no required format or form for responding to this Office action. The Office recommends applicants use the Trademark Electronic Application System (TEAS) to respond to Office actions online at <http://www.uspto.gov/teas/index.html>. However, if applicant responds on paper via regular mail, the response should include the following information: (1) the name and law office number of the examining attorney; (2) the serial number of this application; (3) the mailing date of this Office action; and (4) applicant's telephone number.

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The response *must* be signed by applicant or someone with legal authority to bind applicant (i.e., a corporate officer of a corporate applicant, the equivalent of an officer for unincorporated organizations or limited liability company applicants, a general partner of a partnership applicant, each applicant for applications with multiple individual applicants, etc.). TMEP §§712 *et seq.*

If applicant has questions about its application or needs assistance in responding to this Office action, please telephone the assigned trademark examining attorney directly at the number below.

/Sanjeev K. Vohra/
Trademark Examining Attorney
Law Office 110
571.272.5885 - Work
571.273.5885 - Fax
sanjeev.vohra@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

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NOUN [COUNTABLE] Pronunciation /'fri,lænsər/ Word Forms

or **freelance** Pronunciation /'fri,læns/

someone who is not permanently employed by a particular company, but sells their services to more than one company

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BuzzWord

irisin

a hormone ... which can reproduce the health benefits of exercise and a good diet

[BuzzWord Article](#)

More BuzzWords

biomimicry slacklining exercise widow
cosmeceutical exergaming quintastic
hyposurgery street dancer worried well

[BuzzWord archive](#)

Open Dictionary

micropatronage

the action of supporting a project by donating money over the Internet

[add a word](#)

More submissions

gesture superPAC brogan
mactag glitter-bomb search
UPS pie Herman cake

[view entries](#)

Word of the Day

wildebeest

an African wild animal that is a type of antelope with curved horns

[Word of the Day](#)

Blog

A must for anyone with an interest in the changing face of language. The Macmillan Dictionary blog explores English as it is spoken around the world today.

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American definition of freelancer from the online English dictionary from Macmillan Publishers Limited.

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About Us

Freelancer.com is the world's largest outsourcing and crowdsourcing marketplace for small business. We have hundreds of thousands of satisfied customers from all over the world.



Overview

We connect over 3,136,715 employers and freelancers globally from over 234 countries & regions. Through our website.

Get in touch

Address:
Freelancer.com
Suite 501, 35 Lime Street

Postal Address:
Freelancer.com
P.O. Box 1121

countries & regions. Through our website, employers can hire freelancers to do work in areas such as software, writing, data entry and design right through to engineering and the sciences, sales and marketing, and accounting & legal services.

Suite 501, 35 Lime Street
Sydney, New South Wales
Australia 2000
ACN 134 845 748

P.O. Box 1121
Double Bay NSW 1360
Australia

Statistics since February 2004

- Number of posted projects: **1,419,934**
- Number of verified users: **3,206,715**
- Money spent by our users: **\$116,080,500 USD**

Statistics during last 24 hours

- Number of posted projects: **1,994**
- Number of verified users: **2,766**



Investors

Startive Capital considers investments in all ranges of information technology businesses but specializes in software, services and new media technology sectors. With a vast experience in building successful global consumer-focused internet brands Startive Capital is a partner that provides more help than just venture funding, but we also recognize entrepreneurs need to focus on running and growing their businesses, not dealing with investor overhead.

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Freelancer.com (formerly GetAFreelancer) is the world's largest outsourcing and crowdsourcing marketplace for small business. We have hundreds of thousands of satisfied customers from all over the world. We connect over 3,136,715 employers and freelancers globally from over 234 countries & regions. Through our website, employers can hire freelancers to do work in areas such as software, writing, data entry and design right through to engineering and the sciences, sales and marketing, and accounting & legal services. The average job is under US\$200, making outsourcing for the first time extremely cost effective for small businesses.

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Search term

Match All ▼

word(s).

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Alternately browse our [How-tos and Articles](#).

About Freelancer.com

o What is Freelancer.com?

Freelancer.com is an online job marketplace that provides a means for Employers and Freelancers around the globe to collaborate for mutual benefit. Individuals or businesses in need of skilled help for short or long-term projects can post those projects and allow freelancers to submit bids for the completion of the work.

For **Employers**, Freelancer.com provides immediate access to thousands of independent Freelancers with specific skills, without the need to place job ads or provide work space, insurance, etc.

For **Freelancers**, Freelancer.com offers a constant source of part-time to full-time work opportunities, without the trouble and expense of advertising and self-promotion.

You may visit this [page](#) to know more about How Freelancer.com Works.

- o How do I sign up?
- o What fees does Freelancer.com charge?
- o I am an Employer, how will Freelancer.com work for me?
- o I am a Freelancer, how will Freelancer.com work for me?
- o Is Freelancer.com going to provide work for me?

Contest - Choosing a design

- o How do I create a Poll?
- o How do I choose the contest winner(s)?
- o How long do I have to choose a winning design?
- o What happens after I've chosen a winner?
- o Can I ask for changes to the design after selecting the winner?

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- o Can I ask for changes to the design after selecting the winner?
- o What happens if I'm selected as the winner?
- o Why is it taking so long for the Employer to declare a winner?
- o I was promised the prize, but it was awarded to another Freelancer. What can I do?

Contest - Compliance

- o How can I check that a designer's work is his or her own?
- o What happens after I report a design or designer?
- o How do I report a design or designer?
- o Why should I report a design or designer?
- o What happens if I infringe copyright?
- o How are my designs protected on Freelancer.com?
- o What if my design is copied?

Contest - Deadlines

- o Why is my contest locked?
- o What is a Closed contest?
- o Why is my contest closed?

Contest - Entries

- o Am I eligible to enter?
- o How will I be notified when new entries are submitted?
- o How do I provide comments to designers for submitted designs?
- o How do I rate a design?
- o A design I liked was withdrawn, what can I do?
- o Why do designers withdraw entries?
- o How do I withdraw my entry from a contest?
- o Can I contact designers?
- o How do I reject a design from my contest?
- o How do I stop a designer from entering my contest?
- o How can I refer to a design in my comment?
- o How do I refer to a particular designer in the public comments?
- o How do I submit my contest entry?
- o Can I use stock images or clipart?
- o Which fonts can I use in a design?
- o What file format should I submit my entry in?
- o What should I upload when submitting my design?
- o Why was my entry rejected?
- o Why did my entry get a poor rating?
- o Can I contact the contest holder?
- o Can the contest holder ask me for a copy of my design before the contest ends?
- o What happens to my entry when a contest is refunded or closed or no winner is declared?

Contest - General

- o Can I extend my contest?
- o Why should I create a contest?
- o How much does a contest cost?
- o How do I create a contest?
- o When do I pay for the contest?
- o Can I get a refund for my contest?
- o What is the "Money Back Guarantee"?
- o What is a Design Brief?
- o How can I write a good Design Brief?
- o Can I upload images or files to support my contest?
- o Can I change the details of my contest after it starts?
- o Where is my contest?

Contest - Handover

- o Can the designer email me the design?
- o What should the winning designer provide?
- o How does the design handover work?
- o How do I sign the IP Transfer Agreement?
- o Should I provide revisions after my design is selected as the winner?
- o Should I email the contest holder my design when chosen as the winner?

Contest - Payment

- o Do I have to pay to enter?
- o What currency is accepted for payment?
- o What payment methods are accepted?
- o When do I get paid?
- o Can I choose the currency I get paid in?
- o How can I be sure I'll get paid after completing the design handover?
- o What can I do if the contest holder doesn't pay me?

Contest - Tips

- o Have you any tips for running a successful contest?
- o Have you any tips for attracting contest entries?
- o I need help with my contest!

Contest - Upgrades

- How do I upgrade my contest?
- What is a Guaranteed Contest?
- What is a Featured contest?
- What is a Private contest?
- What is a Sealed Contest? Why are the other contest entries hidden?
- Can I remove my contest from search engines?
- Can I make my Private Contest public?
- Can I increase the prize I'm offering?

Hourly Projects

- What is an Hourly Project?
- How do I post an Hourly Project?
- How many hours can I hire a Freelancer for?
- Can I specify how long my Hourly Project goes for?
- How do I request a Milestone payment for an Hourly Project?
- How do I create an Invoice for an Hourly Project?
- How do I pay an Invoice for an Hourly Project?
- Can I request changes to my Freelancer's Invoice?
- An employer has only paid a portion of my Invoice. What can I do?
- How do I provide feedback for an Hourly project?

Design Studio

- What is Design Studio?
- What are the benefits of a Design Studio?
- How do I get my final designs and complete my project?
- Are Design Studios available for all projects?

Gold Membership

- What is Gold Membership?
- How much do I have to pay to be a Gold member?
- I already deposited money on my account, why am I not yet a Gold Member?
- What files can I submit on my Portfolio page?
- How do I edit my Portfolio?

User Profile

- Can I change my username?
- The profile progress bar indicates my Profile is incomplete. How do I complete it?
- How do I edit my Profile?
- How do I add a Portfolio to my Profile?

- o How do I delete my account?
- o How do I change my display name in my Profile?
- o Why is my account suspended?
- o Why is my account closed?
- o How do I close my account?

Employers

- o How does Freelancer.com work for Employers?
- o What fees will I pay?
- o How do I post a project?
- o What are Sealed Bids?
- o What is a Private Project?
- o What is a Featured Project?
- o What is a Full-Time Project?
- o Why is my project invalid?

Employers - Milestone Payments

- o What is a Milestone Payment?
- o Why use Milestone Payment?
- o Why should I create a Milestone immediately after awarding my project?
- o How do I make a Milestone Payment?
- o Can I make an advance payment to a Freelancer?
- o How do I release a Milestone Payment?
- o How do I divide a Milestone Payment into parts?
- o How do I cancel a Milestone Payment?
- o I already released my Milestone Payment, is there a way for me to get my money back?

Employers - Projects

- o How do I edit a project after bidding starts?
- o How do I put additional information after the bidding starts?
- o How do I invite a Freelancer to bid on my project?
- o How can I ask questions before selecting a Freelancer?
- o How do I accept a bid from a Freelancer?
- o Do I have to deposit funds to select a Freelancer?
- o Do I need to have sufficient funds in my account to accept a bid?
- o How do I cancel a project?
- o How do I delete a project?

Employers - Feedback

- o How do I rate and write a review for a Freelancer?
- o What if a Freelancer fails to complete my project?

- o What if a Freelancer fails to complete my project?

Employers - Hiring

- o How do I hire a Freelancer for my project?
- o How much does it cost to hire a Freelancer?
- o What are the fees for Freelancers?

Employers – Contact Lists

- o Can I rehire a freelancer for a similar project?
- o How do I add a contact to 'My Network' group?
- o How do I add Freelancers to my contact list?
- o How do I hire freelancers from the contact list?
- o What is my contact list?

Freelancers

- o I received a project offer from an Employer, but didn't bid on their project. How did this happen?
- o How does Freelancer.com work for Freelancers?
- o What fees will I pay as a Freelancer?

Freelancers - Bidding

- o How do I submit a bid?
- o Is there a fee for bidding?
- o What are Highlighted Bids?
- o Can I modify a bid I've already submitted?
- o What is my "bid limit" and how is it calculated?
- o Why can't I bid on a project?
- o How do I deliver a project?
- o How do I abort a project?
- o What does it mean when a project is Frozen?

Freelancers - Milestone Payments

- o How do I get paid?
- o Why use Milestone Payment?
- o How do I check if the Employer sent a Milestone Payment?
- o How do I cancel a Milestone Payment?
- o Can I receive payments outside of a project?
- o Can I receive payments outside of Freelancer.com?

- Can I receive payments outside of Freelancer.com?

Freelancers - Feedback

- How do I rate and write a review for an Employer?
- What is "Completion Rate"?

Dispute Resolution Services

- What is Freelancer.com's Dispute Resolution Service?
- How do I file a dispute against a user?
- Can I dispute work that does not relate to a project?
- I released the Milestone but the Freelancer did not finish the job! Is there a way to file a dispute against the Freelancer?
- Can I submit more evidence after the Dispute has been escalated to arbitration?
- I accidentally clicked on the wrong button/wrote the wrong amount! Could you change it back?
- I lost the dispute! Can I file for reconsideration?

Sponsor Bid

- What is a Sponsored Bid?
- How many sponsored bids can there be on one project?
- How much should I sponsor my bid for?
- What if my sponsored bid is selected for the project?
- What happens if my bid is out sponsored?

Feedback

- Is there a time limit to leave feedback?
- Why can't I find the option to rate a user?

Payments and Billing

- How do I deposit money into my account?
- Can I use Direct Deposit to deposit funds?
- Can I use Wire Transfer to deposit funds?
- What is the difference between Direct Deposit and Wire Transfer?
- How do I cancel my PayPal billing agreement?
- Who can opt for direct deposit? Is this option available for everyone?
- My deposit is not reflecting in my account.
- How are payments billed to my account?
- In what ways can you send me my earnings?
- How do I withdraw money from my account?
- For More information visit [http://www.freelancer.com/faq/withdrawal](#)

- Is there a cut-off time for submitting a withdrawal?
- I'm trying to withdraw using Wire Transfer but I am being redirected to another payment method.
- Why is my withdrawal still in the pending status?
- Why is my withdrawal locked?
- When will my withdrawal be processed?
- Can you speed up my withdrawal?
- I entered an incorrect PayPal account when requesting a withdrawal. What should I do?

Debit Card

- How do I get a Freelancer.com Debit Card?
- Where can I withdraw?
- Can I use my existing Payoneer debit card with my Freelancer.com account?
- I am getting an error when I try to connect my existing Payoneer card with Freelancer.com

Exams

- What is the exam format?
- What is the pass mark for an exam?
- Do I have to pay to sit an exam?
- How many times can I sit an exam?
- I am highly knowledgeable on a particular topic, can I skip a level?
- Will an insignia be displayed on my user profile if I successfully complete an exam?

Affiliate Program

- How do I become an Affiliate of Freelancer.com?
- How can I earn money through your Affiliate Program?
- How can I promote Freelancer.com?
- Where can I check my Affiliate Activity?

Terms and Conditions

- Can I exchange money on Freelancer.com?
- Can I sell already made solutions?
- Can I sell scripts, etc. written by others?
- Can I post a project that will sell my stock items in Freelancer.com?

Troubleshooting

- When I try to log in, I'm redirected to the login page again without any error message. What should I do to log in?
- Why am I not getting emails such as new project notifications?

- o Why am I not getting emails such as new project notifications?

Information for LimeExchange Users

- o I'm from LimeExchange, do I need to set up an account in Freelancer.com?
- o I'm an existing member of Freelancer.com and I also have a LimeExchange account. What do I get?
- o I have an existing project in LimeExchange, is it available here in Freelancer.com?
- o I have money on my LimeExchange account, why is it not reflecting on my Freelancer.com account?
- o Where can I read about Freelancer.com's acquisition of LimeExchange?



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			Youtube

7520 users online now	3,136,715 freelancers	1,419,934 projects posted	 Select Country ▼
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To: Freelancer Technology Pty Limited (mmgorelnik@townsend.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77949217 - FREELANCER - 028118-00010
Sent: 1/31/2012 9:36:11 PM
Sent As: ECOM110@USPTO.GOV
Attachments:

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

**USPTO OFFICE ACTION HAS ISSUED ON 1/31/2012 FOR
SERIAL NO. 77949217**

Please follow the instructions below to continue the prosecution of your application:

TO READ OFFICE ACTION: Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this e-mail notification.

RESPONSE IS REQUIRED: You should carefully review the Office action to determine (1) how to respond; and (2) the applicable [response time period](#). Your response deadline will be calculated from 1/31/2012 (or sooner if specified in the office action).

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System [Response Form](#).

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

WARNING

Failure to file the required response by the applicable deadline will result in the [ABANDONMENT](#) of your application.

EXHIBIT 9



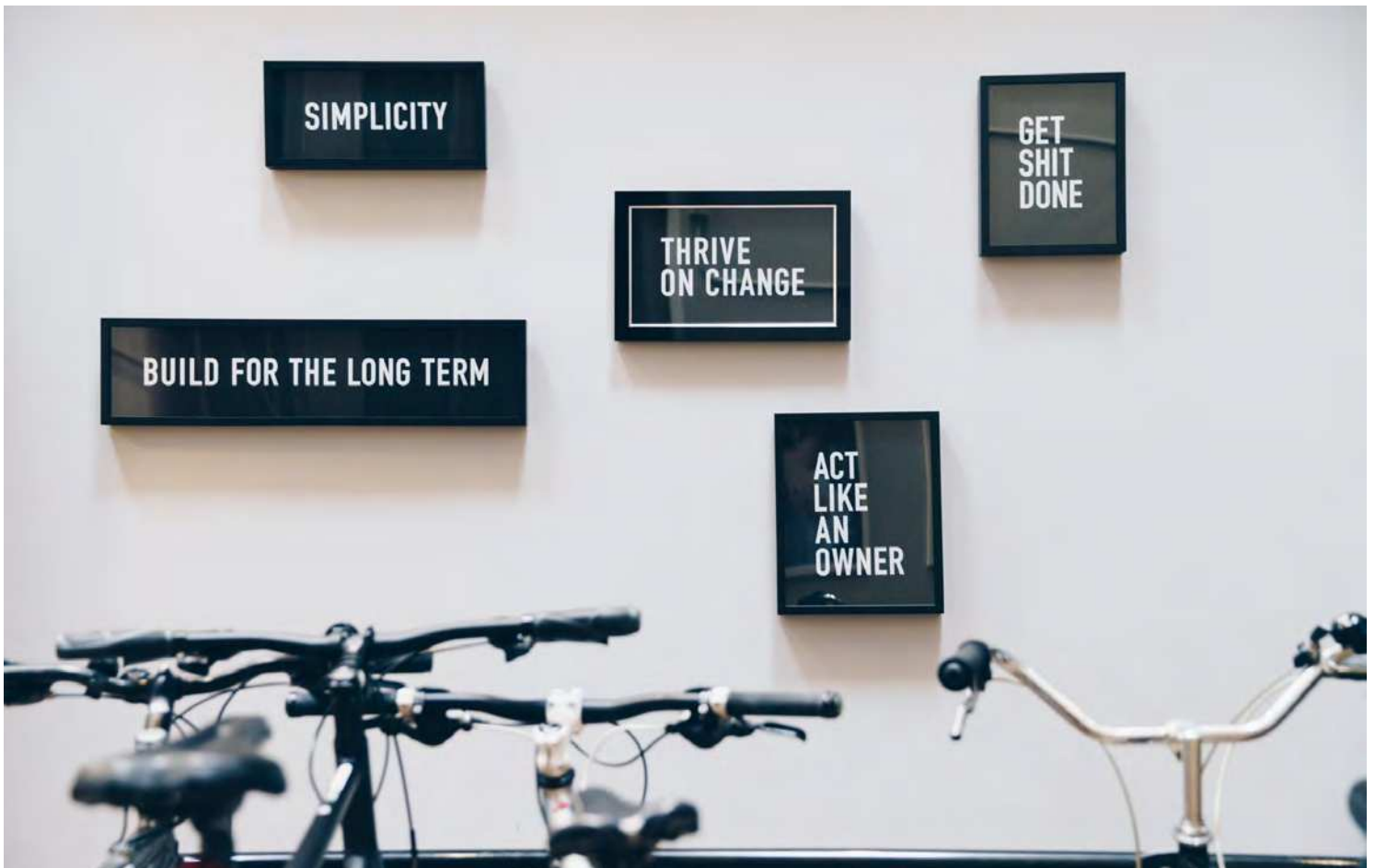
[Resources](#) / [Tools & Support](#)

The 25 best tools for freelancers looking to grow a business in 2019

Written by

[Tom May](#)

03.12.2018





Leaving your job to go freelance is so liberating. But a year or two later, you might feel stuck in a rut once more. Your earnings might flatline, your client base may stall, and every day could start to feel the same.

In association with

Coconut.

You should be growing your business, exploring new sidelines, seeking out new clients and collaborators. But you're so snowed under; you can't find the time. At this point, you tell yourself: 'I must start working harder'. But actually, that's the worst thing you can do; you'll end up more exhausted and less productive overall. What you need is to start working *smarter*: to find new ways to get more work done in less time, freeing you up to spend more time to build up your business. And there are plenty of tools out there to help you do so

We've teamed up with [Coconut](#) – the current account for freelancers and self-employed people – to bring you 25 tools that can help you become more productive and efficient as a freelancer.

Yes, they may take a couple of minutes to set up, but that time should prove a real investment over the long run. So be brave, and start trying out the tools you need to take your freelance business to the next level.

1. [Coconut](#)

Banking, accounting, tax and invoicing



Coconut. And even better, it's been specifically designed for freelancers and self-employed people.

Setup is quick and painless, taking just a couple of minutes. And from then on, this quick, easy and efficient tool will provide everything you need to manage your money and get paid faster, all in one simple app, completely removing the need to pay any expensive accountant fees.

Not only does [Coconut](#) allow you to see all of your financial details at a glance, but you can also act on them too. The invoicing tool, for example, has several useful features. It highlights when invoices are overdue, automatically rearranging the important ones to appear at the top of the list. What's more, you can search Companies House for your client's details, easily add, subtract and edit line items, and customise every element right down to the footer.

Not only can you manage and create your invoices from your mobile device, but you can also send them directly to your client email with a press of a button too. You could, for instance, invoice from the bus or train, every time you're on the way home from a job. And best of all, the invoices that Coconut produces are optimised for fast payment, highlighting key details while looking elegant and professional.

Banking, invoicing, accounting and tax in one app? You'll never look back.

2. [Things](#)

Task management



beautifully designed. Rather than bombard you with all the details of a task, you can decide which elements you want to see and which you wish to be hidden away. So instead of getting overwhelmed by info, you can focus on what's important, making it really easy to stay on top of your schedule.

3. Trello

Visual project management

Collaborating with others on a project often means endless, often confusing spreadsheets. Trello, however, cuts through all that by providing a very visual way for teams to collaborate, which puts it right in the wheelhouse of creative freelancers. Syncing across all your devices, Trello allows you to intuitively use boards, lists, and cards to organise and prioritise your project tasks, leaving you more time to get on with the actual work. The team at Coconut (number one on our list) use it, and so do many more: in fact, Trello recently passed 25million users, so they must be doing something right.

4. Notion

Collaboration and team management

Another app that's useful for collaborative projects, Notion aims to be your 'all in one workspace', and it's not joking. The app is essentially four tools in one, offering notes and docs (in more than 30 media types); spreadsheets and databases; a knowledge database (i.e. a central repository of questions and answers about the project); a tasks and projects



5. LastPass

Remembers all your passwords

How much time do you waste these days trying to log into services only to find you've forgotten your password? They say you should never write them down, and never use the same password twice, but that makes it impossible to remember all of them! LastPass is merely a secure service that remembers all your passwords, so you don't have to; you have to remember one, master password, and you can access all the rest. A great stress saver, freeing up your brain to remember other things than just hundreds of random passwords.

6. RescueTime

Find out how you use time to save time

The key to becoming more productive and having a better work-life balance is to know what it is you're spending your time on. RescueTime runs in the background on your devices and accurately tracks which apps and websites you're using, and for how long. You can then analyse detailed reports to find where you're wasting your time - and the results will probably surprise you!

7. Slack

Instant messaging



fully searchable, and organised into channels, by project, topic, team, or whatever makes sense for you. And that's just so much more intuitive than hunting through endless, irrelevant messages in your email inbox.

8. Buffer

Social media scheduling

Writing and scheduling individual posts on Twitter, Facebook, Instagram, LinkedIn, Pinterest and Google Plus is a lot of work. So Buffer allows you to do so within a single app. There are also some great tools for analysing the effectiveness of your posts to help you make them more engaging for your community. There are several apps out there for doing this, but Buffer is our fave, and we're not alone; it's also used by the likes of Github, Shopify, Microsoft and Trello.

9. FastMail

Secure emailing

Email provider FastMail has two big selling points. Firstly, as the name suggests, it's super-fast when it comes to tasks like searching your archive or syncing your email, contacts, calendars and notes. And secondly, it's super-secure, with optional two-step verification providing the peace of mind that no one will ever read your emails but you. They also offer 24-hour support and promise "No ads, ever".



Email marketing

If you're looking to grow your business by sending email newsletters, then this should be your go-to app of choice. MailChimp has dominated this space for years, and the experience they've built up along the way means they remain the best. But you don't need to take our word for it: the service is free for up to 2,000 subscribers and 12,000 emails per month, which is certainly enough to give it a good try before putting your hand in your wallet.

11. Mention

Shows you who's talking about your brand

If your freelance business revolves around a brand, then you want to know what people are saying about it. Mention monitors over one billion sources daily to provide you with live updates about your brand from across the web and social media. It also includes competitor analysis and identifies influencers who may be able to help you boost your brand.

12. Magic

Your personal assistant

Traditionally, essential people would hire personal assistants (at great expense) who would be on hand to carry out tedious tasks such as renting you a car or booking you a doctor's appointment. Well now you can text Magic with requests like these (anything in their words,



13. CamScanner

Scan documents with your smartphone

Need to scan a document? Can't access a scanner? Well, if you have your smartphone with you, you can do so using the CamScanner app. It all works brilliantly, and there are some handy features like an image-to-text converter and the ability to fax to more than 30 countries and regions.

14. AndCo

Find a co-working space

Are you looking for a cool co-working space in London? AndCo has a special relationship with the UK capital's best restaurants, cafes and event spaces that have room to spare during the working week. And they set this aside as workspace for AndCo members' exclusive use. Every space comes with a desk and top-notch Wi-Fi, and it's a great way to explore London and meet and network with other remote workers.

15. Qwilr

Create proposals, sales and marketing docs



designed templates allow you to easily craft proposals that clients will love, providing a great talking point and giving you more confidence during your pitch.

16. PipeDrive

Track leads and customers

Customer relationship management (CRM) tools are a dime a dozen these days, so how do you pick one? For our money, the best in show is Pipeline, because of its brilliantly visual and easy-to-grasp interface, which makes it a cinch to keep your eye on the current state of play regarding both prospects and clients, whether you're on your desktop computer or mobile device.

17. Join Me

Video conferencing

It's not always possible to physically meet clients or collaborators, either because they live thousands of miles away, or because they're swamped. But chatting face to face via video conferencing can still help you establish a much stronger relationship than just emailing and phone calls. And so we'd recommend Join Me, a video conferencing app that is simple to use and gets the job done. We also love that you can create your custom URL and even customise your meeting background.

18. Shotsnapp



When you're designing an app or a website, clients don't want to see raw screenshots; they want an idea of what that app or site is going to look like on an actual device. To get this done quickly and efficiently, we'd recommend Shotsnapp. Choose a device object, move it onto the canvas and add the image of your design or screenshot. You can then play around with elements like size, colours and positions, then download the completed picture when it's done.

19. HelloSign

eSignature solution

We all thought we'd live in a paperless world by now, but the reality of running a freelance business means you still need to get a lot of documents signed. However, rather than laboriously printing out each document, signing it, and then scanning it in again, there is another way. HelloSign allows you to sign anything electronically, whether you're on your desktop or smartphone, and then send it back without printing or scanning a thing. Secure, fast and with an excellent interface, this is our favourite eSignature solution on the market right now.

20. Pocket

Capture content from everywhere

Ever seen or read something inspiring online but then been unable to find it again when you need it? We all have, and that's why we should all be using Pocket. This smart app



21. TypeForm

Carry out a survey

Need to collect a particular set of data or survey a group of people on a specific question? Then head for TypeForm. This excellent app allows you to ask questions in a way that's friendly and approachable, and as we all know, you catch more flies with honey. It's effortless to use, too, both for you and your audience.

22. There

Keep track of different timezones

For most freelancers, working for clients across different time zones can get confusing. So this simple-to-use app helps you keep track of the local time for all the teammates, collaborators, clients and businesses you deal with, all in one space. It's a simple idea, but one that's been executed very well.

23. Dropbox

File management, storage and sharing

When it comes to sharing and storing large files, Dropbox is the granddaddy. But rather than become old-fashioned, Dropbox has continuously built on its strengths and extended



speed, security and ease of use.

24. Grammarly

Get help with grammar and spelling

Just because lousy grammar and spelling are not unusual amongst freelance designers and artists, doesn't mean it isn't damaging to their business prospects. After all, if you're a client looking for a freelancer with attention to detail, spelling mistakes in a portfolio is going to raise alarm bells. Obviously, you should use the standard Spellcheck function in your text editing tool, but that won't catch all mistakes, so double-check your words using Grammarly. This more advanced app scans your text for common and complex grammatical errors; everything from subject-verb agreement to article use to modifier placement.

25. InVision

Digital design tool

Need to create a prototype of your app or web design, to show what it can do before you build the full thing? There are lots of tools for this, but our favourite has to be Invision, which has consistently stayed ahead of the game in servicing its customers' needs. Used by Airbnb, Amazon, HBO, Netflix and IBM, this great tool allows you to quickly generate richly interactive prototypes and gather instant feedback on your designs.



03.12.2018



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Recommended reading



MANAGING YOURSELF

How Freelancers Can Make Sure They Get Paid on Time

by [Rebecca Knight](#)

August 15, 2017



One of the most stressful things about being self-employed is managing your cash flow. This is especially difficult when clients don't pay you on time. What can you do to make sure your invoices are handled promptly? And if a client is late, how should you address it, especially if you want to work with this company again? Is there ever a point at which you need to involve a lawyer?

What the Experts Say

When freelancing is your primary source of income, you have to be meticulous and organized about keeping your books, according to Jon Younger, the founder of the Agile Talent Collaborative, a nonprofit research organization and the coauthor of *Agile Talent*. “If you’re not disciplined and rigorous about getting paid, you will not succeed,” he says. “It is a critical aspect of your reputation.” And yet, even if you do everything right, clients can still be frustratingly late with their payments. Over 70% of freelancers have trouble getting paid at some point in their careers, according to research by the Freelancers Union, the nonprofit group that promotes the interests of independent workers. “When you’re on your own freelancing for a big company, there is a fundamental power imbalance,” says Caitlin Pearce, director of advocacy and member engagement there. So if your paycheck doesn’t arrive on time, “You think, ‘What did I do wrong?’” Here are some strategies to help you run the, ahem, “billing department” of your freelance business.

Do your homework

The best way to ensure you get paid in a timely manner is to work only for reputable, well-funded companies that treat freelancers with dignity and respect. This requires due diligence, Younger says. “Before you respond to a request or knock on a door in a marketing capacity, you need to establish that the company can pay you and will pay you,” he says. “You need to find out if they’re honorable, scrupulous folks, or if they’re the kind of folks who will invariably find a ‘problem’ with your invoice.” Pearce recommends talking to other freelancers who’ve worked for the organization about their experiences. Inquire with the company’s full-time workers, too. “Ask about the corporate culture,” she says. “How it treats employees is a good indicator of how it treats freelancers.” The bottom line: Don’t work with clients who have a bad reputation.

Get organized

Next, you need to consider how you will bill your clients. There are many ways to go about it, and “there are pros and cons for each,” Younger says. Choosing to be a “truly independent worker” and handling all the invoices on your own requires more bookkeeping — and potentially more headaches — but all profits go to you. (Thankfully, there are numerous tools and apps that automate the process, including And.co, 17 hats, and justtelljulie.) On the other hand, being part of an “online talent platform that connects buyers and sellers” — such as Jobbatical, Business Talent Group, Upwork, or Toptal (where Younger is an adviser) — means less legwork and less paperwork because “they collect the money for you”; however, these platforms also take a cut of your earnings. Regardless of what you choose, it’s smart to seek out the advice of an accountant from time to time, Pearce says. “Most freelancers do not use accountants for bookkeeping” but instead as “periodic consultants.” They “help you prepare taxes, make sure your costs are under control, and ensure your business is structured properly.”

Get it in writing

Before you start working on an assignment, you need a contract that lays out the scope of the project, the payment terms, and the expectations for both sides. “Don’t believe in a handshake,” Younger says. Informal agreements are the source of almost every payment problem, so be sure “to get everything in writing.” For small projects an email chain will often suffice, but for longer engagements “it is worth working with a lawyer,” Pearce says. Most freelancers have a standard template contract that they alter for different clients. “When you can, work with your own contract,” she says. “You know what’s in it, and it has terms you can live with and negotiate from.” The Freelancers Union has several templates on its website, as well as an app that connects freelancers with attorneys who represent independent workers.

Understand your client's payment cycle

It's also important to talk with your client about its "payment schedules and policies in advance" of starting any work, Younger says. Find out how its fiscal year runs, how long it typically takes to process invoices, which days of the week it cuts checks, and how it pays its contract workers. This information helps you better manage your monthly cash flow. Pearce recommends you "try to get as much money up front" as possible. "A deposit of 30%–50% of your estimated fee is acceptable in many industries," she says. Another tip: "Make sure you have the name and contact details of the person in finance with whom you'll be dealing with," Pearce says. This way, if there are delays, you have someone to call.

Invoice early and often

Regardless of your client's payment terms, Younger recommends establishing your own billing cycle that's frequent and predictable. "Bill on a weekly basis or every time you finish a bit of work," he says. Billing often is "a signal that you consider your time valuable." For longer-term projects, Pearce suggests invoicing at predetermined "milestones along the way" so that you are guaranteed "payment at certain points over time." Milestone payments not only help you manage your cash flow, they are "also a tool for communication," she says. "They make sure you and your client are both aligned and satisfied." Whatever you do, don't agree to terms that involve your getting paid only upon the full delivery of the work. "You don't want to work for three months on a project only to have the client say, 'I hate it. And I will only pay you for 50%.'"

Establish your professionalism

Earning your living as a freelancer requires that you "treat yourself like a business," Pearce says. Don't do slapdash work, don't "forget" to invoice, and don't be careless in your communications. "Getting paid is contingent on the quality of your work and the quality of your relationship with your client," Younger says. "If you're mailing it in, difficult to reach, or hard to deal with, that will affect your ability to make money."

On a related note, don't work for free. "A lot of companies are fishing around these days for free work on the assumption that your working for them will help you more than it realistically will," he says. Remember this any time you're "invited" to give a free webinar or moderate a panel gratis. "Talk plainly and in businesslike terms" about your fee. "Establish the value of your work."

Follow up

If your client is ever late with a payment, "you have to be vigilant about following up," Pearce says. "If you're vigilant on your end, it sets expectations on theirs." If you're following up and no one is responsive, "escalate to a phone call or go to the office in person," she says. It's much easier to ignore an email than it is to ignore a human. Be persistent about seeking payment, Younger advises. "Don't walk away, and don't give up," he says. "Work your way up the food chain and take it to the top" of the executive leadership if you need to. Your emails and calls about late or missing payments serve as documentation of your efforts to be paid. Use that paper trail to ask, "What's the deal?"

Hire a lawyer

If you've tried everything and the client is still not paying, it might make sense to engage an attorney. It's not a straightforward decision, however. "Mostly it's a cost-benefit analysis" that involves calculating the amount that's owed you, your odds of success, and the hassle of hiring — and paying for — a lawyer, Pearce says. A new, first-of-its-kind law in New York City gives freelancers a ray of hope. The law stipulates that for jobs paying \$800 or more, freelancers must be paid either by a specified date or within 30 days of completion. The other big component of the law provides recourse for instances in which clients fail to pay. "If it goes to court, the law mandates double damages and attorney fees be awarded if the judge rules in the freelancer's favor," Pearce says. She adds that the Freelancers Union is "working on getting the law passed nationally." At the very least, report your former client to the Better Business Bureau.

Principles to Remember

Do:

- Your research. Find out how well-funded your client is and, to the extent possible, check if there are any financial red flags.
- Bill on a regular basis, and for longer projects ask for milestone payments; they help you manage your cash flow and ensure you and the client are aligned.
- Consider pursuing a settlement in court if your client fails to pay you.

Don't:

- Work informally. You need a good contract that lays out the scope of the project and the payment terms and ensures that expectations are clear on both sides.
- Be late or inconsistent with your invoices. Make use of tools and apps that automate the process.
- Be lackadaisical about following up with your client about a late payment. If the client does not respond to emails, visit the office in person if possible.

Case Study #1: Be vigilant about following up and seek legal advice when needed

Michael Lopez, a freelance copywriter specializing in the health and wellness sector, knows all too well what it's like to get stiffed by a client.

Last year he agreed to do web copy overhaul for a drug rehabilitation company that had a network of treatment centers. He had done small jobs for this client in the past, but the new assignment was much bigger. This project was slated to last two months, and it represented “a good chunk of change” for Michael.

He finished the job and submitted an invoice. He didn't hear back from the company, so a week later he followed up with an email. No response. After two weeks, he followed up by phone. Still no response. "After four weeks I followed up with another call and email and was told that they were working on payment and reviewing the work," Michael says. "[They also told me] that they didn't feel they would use the deliverables, so they were not sure if a full payment was fair."

He was surprised, angry, and annoyed. "I went through all the stages of grief," he says. "I eventually ended up feeling sad and disappointed in myself. Yes, they were in the wrong, but there were a lot of things I did wrong as well." For one, he worked without a contract. "A contract was something that I knew I needed, but I hadn't been able to put one together," he says.

Fortunately for Michael, his roommate was an attorney. "I've always been aware that, in the absence of a contract, an email chain laying out when deliverables and payments are due is enough to prove in court — if you need to go that route — that you are owed funds." His lawyer roommate sent a letter to his client that "essentially demanded they pay or suffer other legal action," Michael recalls.

One week later, the client issued an apology to Michael and released funds for payment. "I don't think it was worth fighting for them," he says. It was a relief. Not long after that, Michael availed himself of the tools from the Freelancers Union and Legal Zoom to create a template contract for his future assignments. He describes what happened with the drug rehab company as a "harsh" learning experience.

"I've since updated my contracts, and I have a strict payment policy in place now," he says. "If a client doesn't want to adhere to it, then I almost never work with them. It's part of qualifying high-quality clients."

Case Study #2: Understand your client's accounts payable process and use it to your advantage

Over the course of her 12-year career as an independent event planner, Vicky Choy says, she has always been paid for her services — but not always on time.

She recalls: “While working for one of my first corporate client, I learned that the accounting department only cut checks once every other week, and only on Thursdays. I would wonder why I wasn’t receiving payments on time. So finally, I asked. If I had sent an invoice on a Friday after accounting had just cut checks the day before, I would have to wait two weeks for them to cut checks again.”

It’s been an education, and over time she’s mastered the process. Vicky has a standard contract that she developed with the help of an attorney. She makes adjustments and alterations depending on the client and the event. The contract lists the project milestone schedule, the payment due dates, and the payment terms. In addition, the contract contains a “stop work” clause that gives her the right to stop performing work for a client until all payments are up to date.

Her early experiences with late clients also prompted Vicky to start using QuickBooks, which enables her to receive payments through e-checks and credit cards and has resulted in on-time payments.

“I like it because it keeps all my accounting in one place, and I don’t need to use different software for the same process,” she says. “As a micro-business owner, the more time I can save doing overhead work, the better.”

Rebecca Knight is a freelance journalist in Boston and a lecturer at Wesleyan University. Her work has been published in The New York Times, USA Today, and The Financial Times.

This article is about MANAGING YOURSELF

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WRITING

Established Since 1997

31 Tools and Apps Freelance Writers Swear By

by Freelance Writing

The struggles of being a freelance writer are real. Outside the confines of an office job, they are left to their own devices. While it is this very freedom and flexibility that lead many to take on the lifestyle of a freelance writer, the daily pressures of being your own boss can require a hefty amount of organization.

Luckily, thanks to the rise of technology and smart devices at our fingertips, there is a treasure trove of software and applications available to help freelancers with a number of job components: managing your time, organizing your workload, balancing your budget, communicating with clients, getting freelance work, and even finding a space to get all these things done!

The next question then becomes: how do you pick which apps to use? Well, find out from freelancers just like yourself.

Here are the 31 best tools that have been tested by experienced freelance writers — along with a few others that are definitely worth checking out.

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uspto

UNITED STATES
PATENT AND TRADEMARK OFFICE

freelancer

Broadcast Messages (0)

Download

Displaying all of 5 records for freelancer

Search By All

Status A, M, X, D

NCL 11-2020

Search Fields Description

Sort By

Relevance

Then By

(none)

Term ID	Class	Description	Status	Effective Date	Type	Notes	TM5	NCL Version	...
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