



ARTICLES OF INCORPORATION
OF
MOZILLA.ORG

(A California Nonprofit Public Benefit Corporation)

For Office Use Only

-FILED-

File No.: 6421837

Date Filed: 10/7/2024

I.

The name of the corporation (the "Corporation") is Mozilla.org. The principal business address of the Corporation is 149 New Montgomery Street, 4th Floor, San Francisco, California 94105.

II.

- A. The Corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public or charitable purposes.
- B. The Corporation is organized and operated exclusively for scientific, educational, and charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 (the "Code"). All references to provisions of the Code herein also reference the corresponding provisions of any future United States internal revenue law.
- C. The specific purpose of the Corporation is to operate exclusively for the benefit of, to carry out the purposes of, and to perform the functions of its designated supported organization, the Mozilla Foundation, a nonprofit public benefit corporation described in Section 501(c)(3) and Section 509(a)(1) of the Code. It may carry out this purpose in a variety of ways, including but not limited to acquiring, holding, and disposing of assets and investments (including mission-related and program-related investments) for the benefit of the Mozilla Foundation and in furtherance of its purposes, and deploying the income from those assets and investments to further the purposes of the Mozilla Foundation.
- D. Notwithstanding any other provision of these articles, the Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purpose of the Corporation, and the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Code; or (b) by a corporation, contributions to which are deductible under Sections 170(c)(2), 2055(a), or 2522(a) of the Code.

III.

- A. The Corporation is intended to qualify as a "supporting organization" described in Section 509(a)(3) of the Code at all times. The Corporation may also qualify as a

publicly supported public charity described in section 509(a)(1) or (2) of the Code, in which case it may claim public charity status by virtue its being described in section 509(a)(1) or (2) of the Code.

1. The Corporation shall not take any action inconsistent with maintaining its status as a public charity under Section 509(a)(3) of the Code.
 2. The Corporation shall not have power to accept any gift, grant or contribution that would cause the Corporation not to qualify as a Type I supporting organization by reason of Section 509(f)(2) of the Code. Any acceptance of such a gift, grant, or contribution shall be void.
 3. The bylaws of the Corporation (the "Bylaws") must at all times vest authority to elect more than 50% of the directors of the Corporation in one or more supported organizations of the Corporation or in their respective governing bodies, members, or officers acting in official capacity (such supported organizations, the "Controlling Supported Organizations"). The Bylaws may specify further which Controlling Supported Organizations (or their respective governing bodies, members, or officers) have the right to vote for which board seats.
- B. Any amendments to these Articles of Incorporation must be approved by a majority of all the directors of the Corporation then in office.
- C. The Corporation may, by amending its Articles of Incorporation, add (and operate to support, carry out the purposes of, or perform the functions of) new supported organizations in addition to or in lieu of its existing supported organizations, subject to the following provisos:
1. The Mozilla Foundation must remain a supported organization so long as it continues to qualify as a public charity described in Section 509(a)(1) or 509(a)(2) of the Code.
 2. Such new or substituted organizations must be organizations described in section 509(a)(1) or 509(a)(2) of the Code, or deemed to be so described for purposes of Section 509(a)(3) of the Code, and any organization that ceases to meet this qualification will automatically cease to be a supported organization of the Corporation.
 3. Such new or substituted organizations must be drawn from one of the following classes:
 - a. affiliates directly or indirectly controlled by, or under common control with, the Mozilla Foundation;
 - b. other organizations closely related in function to the Mozilla Foundation; or

- c. organizations that (1) work in areas likely to have a significant impact on the character of the internet, its potential to benefit society, or its continued availability to the public as a common resource, and (2) are primarily engaged in activities that directly help accomplish the aspirations of the Mozilla Manifesto.
 - 4. To the extent that a supported organization does not participate in electing the Corporation's board of directors, the Corporation's support of that entity will be limited to support that carries out the purposes of the supported organizations that collectively appoint a majority of the Corporation's board of directors.
- D. The Corporation is intended to operate so as to qualify as a public charity under Section 509(a)(1), (2), or (3) of the Code. However, if the Corporation becomes a private foundation as defined in Section 509 of the Code, the Corporation, so long as it shall be such a private foundation, shall distribute its income for each taxable year at such time and in such manner as not to subject it to the tax on undistributed income imposed by Section 4942 of the Code, and the Corporation shall not (i) engage in any act of self-dealing as defined in Section 4941(d) of the Code; (ii) retain any excess business holdings as defined in Section 4943(c) of the Code; (iii) make any investments in such manner as to subject the Corporation to any tax under Section 4944 of the Code; or (iv) make any taxable expenditures as defined in Section 4945(d) of the Code.

IV.

The name of the Corporation's initial agent for service of process is Corporate Creations Network Inc.

V.


No substantial part of the activities of the Corporation shall consist of lobbying or propaganda, or otherwise attempting to influence legislation, except as provided in Section 501(h) of the Code or the corresponding provision of any future United States internal revenue law and the Corporation shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of or in opposition to any candidate for public office, except as provided in section 501(h) of the Code or the corresponding provision of any future United States internal revenue law.

VI.

The property of the Corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of the Corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private person, within the meaning of Section 501(c)(3) of the Code. Upon the dissolution or winding up of the Corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of the Corporation shall be distributed, in such proportions as the Board of Directors of the Corporation may choose, to one or more of its supported organizations

that have established their tax-exempt status under Section 501(c)(3) of the Code and that qualify as public charities described in Section 509(a)(1) or 509(a)(2) of the Code, or to one or more other supporting organizations described in Section 509(a)(3) of the Code that operate solely for the benefit of, to carry out the purposes of, or perform the functions of one or more of the Corporation's supported organizations.

IN WITNESS WHEREOF, the undersigned has executed these Articles of Incorporation as of the 30th day of September, 2024.


Michael W. Durham