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INTELLECTUAL PROPERTY DEPARTMENT

ALERT

BEWARE OF TRADEMARK SCAMS

By Christopher R. Kinkade

Private companies not affiliated with the U.S. Patent and Trademark Office (USPTO) have been sending official-looking solicitations to trademark owners with increasing frequency. In addition to posing as the USPTO, such private companies may mimic foreign intellectual property offices or operate under names that give the impression that the company is affiliated with a governmental agency. At first glance, these solicitations may look like an invoice or notification from the government that a maintenance or renewal fee is due, or that a fee for a watch service is required. Such notices are scams. Do not respond without first consulting your trademark attorney.

The USPTO has issued an [official warning](#) about these types of solicitations, and many foreign intellectual property agencies have done the same. Public Internet sites also contain advice about these types of solicitations, such as Wikipedia's page on [scams in intellectual property](#). The scammers often have official-sounding names like "United States Trademark Registration Office" and "Register of International Patents and Trademarks," but reading the fine print reveals that the correspondence is not official.

Official USPTO correspondence is sent only to the person who filed the subject trademark application. If your attorney filed your application, then all correspondence will go to your attorney who will communicate directly with you. Official USPTO correspondence will be from the "United States Patent and Trademark Office" in Alexandria, Va. Any emails from the USPTO will be from the domain "@uspto.gov."

If you are interested in filing trademarks in other countries, monitoring the marketplace for infringers, or simply making sure everything is in order with your trademark applications and registrations, please contact your attorney. We have many foreign law firms and reputable vendors that we work with regularly to provide these services to our clients. With just a phone call or email, we can save you hundreds or thousands of dollars that would otherwise have been paid to a scammer.

If you have questions about this Alert, please contact Christopher R. Kinkade at 609.844.3023 or ckinkade@foxrothschild.com or any member of Fox Rothschild's [Intellectual Property Department](#).



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