

## LEGAL ALERT – INTELLECTUAL PROPERTY LAW

March 2021

### YOU HAVE HEARD OF FAKE NEWS, BUT WHAT ABOUT FAKE INVOICES? BEWARE OF BOGUS NOTICES AND INVOICES FROM IMPOSTERS

Recently, there has been a proliferation of companies that pose as the U.S. Patent & Trademark Office (USPTO) which try to fool trademark owners into paying to them amounts needed to maintain or renew their trademarks. These fraudsters mail trademark owners phony notices with names and typefaces so realistic that even sophisticated clients have been fooled. As it becomes aware of these fraudsters, the USPTO has been shutting them down. However, as soon as one is shut down, another one pops up. The worst consequence of these fraudulent notices is that real fees and documents that are coming due are not paid or submitted because the trademark owner thinks that by paying the fraudster all requirements have been satisfied. As a result, trademark registrations are cancelled.

Typically, these phony notices and invoices are mailed to owners of trademark registrations soon after registration and/or when the deadline for maintenance payments or renewals is approaching. Note, however, that if you have trademark or patent counsel, the USPTO **does not** bill you directly for amounts that are coming due. Note also that the USPTO does not send reminders by mail.

The phony notices may include bills/invoices for legal services, trademark monitoring services, recording trademarks with U.S. Customs and Border Protection, and “registering” trademarks in a private registry. The notifications will often say “Your trademark is about to expire”.

These fraudsters typically have names similar to the USPTO including the terms “USA,” “U.S.,” “Trademark,” “Office,” “Patent & Trademark,” “Bureau,” or “Agency.” All official correspondence about your application and/or registration will be from the USPTO in Alexandria, VA, or, if by email, from the domain name “@uspto.gov” and do not request payment of fees.

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This information is provided as a public service to highlight matters of current interest and does not imply an attorney-client relationship. It is not intended to constitute a full review of any subject matter, nor is it a substitute for obtaining specific legal advice from appropriate counsel.

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Such fraudulent invoices are also issued by foreign private companies regarding international trademark registrations. For example, a client received an email from a foreign firm stating that a rejection of a trademark application had been issued by the foreign trademark office in the country in which the application had been filed. When we checked, we learned that the status of the application was “pending” and that no official refusal had been issued. Apparently, some entities obtain rejection information from illegal channels, that is, they “buy” the rejection information prior to the official notification being sent to the actual firm handling the application, and send the rejection information to the applicant in an attempt to solicit business. In actuality, these foreign imposters do not have any official document or details of the rejection.

Below are the names of some who have been identified as imposters by the USPTO:

**Brand Registration Office (Trademark Selection Edition)** (Washington, DC)  
**Intellectual Property Services USA Incorporated** (Alexandria, VA)  
**IOPR - Intellectual Office Property Register** (Beaverton, OR)  
**ITR Trademark Publication** (Miami, FL)  
**P.T.M.A. Patent and Trademark Association** (New York, NY)  
**Patent & Trademark Agency** (New York, NY)  
**Patent & Trademark Bureau** (Philadelphia, PA)  
**Patent and Trademark Bureau** (New York, NY)  
**Patent & Trademark Office** (250 Park Ave., New York, NY)  
**Patent & Trademark Office** (299 Park Ave., New York, NY)  
**Patent & Trademark Office** (555 Madison Ave., New York, NY)  
**Patent & Trademark Office** (Jersey City, NJ)  
**Patent & Trademark Resource Center** (Seattle, Woodinville, & Bothell, WA)  
**Patent and Trademark Organization** (New York, NY)  
**Patent Trademark Register**  
**PTMI – Register of Protected Patents and Trademarks** (Staten Island, NY)  
**TM-DB Register of Protected Trademarks** (Washington, DC)  
**TM-DB Register of Protected Trademarks** (Wilmington, DE)  
**Trademark and Patent Office** (Los Angeles, CA)  
**Trademark Compliance Center (version 2)** (Alexandria, VA)  
**Trademark Compliance Center (version 1)** (Alexandria, VA)  
**Trademark Compliance Center** (Washington, DC)  
**Trademark Compliance Office** (Arlington, VA)  
**Trademark Office Ltd.** (New York, NY)  
**Trademark Registration and Monitoring Office (Intellectual Property Rights Recordation Alert)** (Los Angeles, CA)  
**Trademark Registration and Monitoring Office (Past Due Notice)** (Los Angeles, CA)  
**Trademark Renewal Service** (New York, NY)  
**Trademark Renewal Service** (Washington, DC)  
**Trademark Safeguard - Trademark Monitoring Service** (New York, NY)

Be wary of these notices and invoices since they may be from imposters. If you receive an invoice from any company other than your counsel for trademark services, do not pay the invoice and send a copy to your attorney.

Attached is a copy of an actual phony notification received by our firm for its mark "Resourceful Representation". (We did not pay it!)

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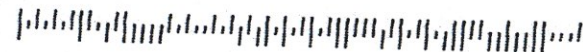
**PATENT & TRADEMARK OFFICE**

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US Postage **Paid**  
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Permit No. 100

**IMPORTANT – OPEN IMMEDIATELY**

EBFSSPI 10103



NO POSTAGE  
NECESSARY  
IF MAILED  
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UNITED STATES



**BUSINESS REPLY MAIL**  
FIRST-CLASS MAIL PERMIT NO. 54 WOODINVILLE, WA

POSTAGE WILL BE PAID BY ADDRESSEE

PTO  
P/O BOX: 643  
WOODINVILLE WA 98072-9930





# PENDING TRADEMARK CANCELLATION

**Your Trademark is about to expire. Renewal date: Sep.02.2020**

1. Correspondence address:

2. Graphic representation:

## TRADEMARK RENEWAL OFFER UNDER DECLARATION SECTION 8 & 9

3. Trademark Name:	6. Registration Number:
4. Type: Service Mark	7. Number of Classes: 1
5. Registration Date:	8. Classes: 042

### 9. IMPORTANT INFORMATION -PLEASE READ

In order to renew your trademark, please sign and return this document in the enclosed prepaid envelope. Once your signed form and payment has been received and processed by us, the renewal process will start. **The trademark stated on this document will be renewed for another period of ten (10) years. The renewal fee for the 10-year period is \$ 1650 including one class. Each subsequent class is debited with a fee of \$ 650. Note: if not renewed in time, your exclusive rights to that mark may be terminated.** By signing this document, you place an order for filling the renewal of the identified trademark registration for the classes identified in this form and confirm that you comply with the Terms and Conditions of the order form. By returning and signing this document, you also empower Patent & Trademark Office to conduct and perform the renewal process on your behalf. You will receive a confirmation from us once the trademark renewal is completed. This is an optional offer. This document is not a bill. Patent & Trademark Office is a private company, not associated with any official governmental organizations. Patent & Trademark Office provides the expertise that modern businesses need to navigate the Patent and Trademark Office's registration and renewal process. If you have any questions regarding the renewal of your trademark, please contact Patent & Trademark Office renewal department via e-mail: [info@pto-us.us](mailto:info@pto-us.us) or telephone: (800) 983-4701

### 10. Declaration of Incontestability:

☐ Please check box if you are interested in filing a Trademark Incontestability (15 U.S.C. § 1065) for an extra Fee \$ 400 per class

### 11. Section 8&9 Filing Fees:

One class renewal fee: \$ 1650  
Subsequent class(es): \$ 0  
**TOTAL:** \$ 1650

### 12. SIGN AND RETURN IN THE ENCLOSED ENVELOPE:

/ \_\_\_\_\_ /  
Name and Title (Enter appropriate title or nature of relationship to the owner/holder).  
/ \_\_\_\_\_ /  
(e-mail) required  
/ \_\_\_\_\_ /  
(Date and Signature) required

