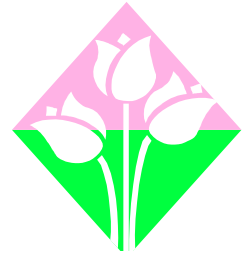




Happy Spring!

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“Tip of the Month”

Avoid Trademark Scams

Sometimes trademark applicants receive official-looking correspondence in the mail that is not from Mesmer & Deleault or from the United States Patent and Trademark Office (“USPTO”). The letters may include what appears to be an invoice for hundreds or thousands of dollars for a “registration” service or a “monitoring” service. The text might include hard-to-understand legal language in all capital letters. They may also include information about your particular trademark. They probably look like something that someone in your organization has ordered and should be paid without question. Although some of these letters might be legitimate, it is more likely they are scams.

In the United States, only the USPTO can register federal trademarks. Outside the United States, there are national and international organizations that can register trademarks in their respective countries or officially-sanctioned regions. However, it is unlikely that those national and international organizations would contact you directly when an attorney filed your trademark. Ordinarily, the authorities would send any inquiries or invoices to your attorney.

United States trademark applications are made available online by the USPTO very soon after they are filed. The USPTO database includes all the information about the applicant that was submitted in the application. That makes it easy for unscrupulous people in any part of the world to perpetrate this scam.

At least one of the organizations that send these letters will “register” the trademark in their private registry. However, such a registration has no legal effect, and is essentially worthless. If your organization pays out on one of these scams, it is nearly impossible to get that money back. In fact, many of the scam artists appear to be based outside of the U.S.

If you receive a suspicious letter regarding your trademark application, contact the attorneys of Mesmer & Deleault to see whether it is legitimate.

The attorneys at Mesmer & Deleault are happy to help. Please give us a call at 668-1971, or contact us by email at mailbox@biz-patlaw.com.

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