

## On My Mind Blog

### Impersonators, Imposters, Spoofers & Other Scammers

3.15.2023 By [Meichelle R. MacGregor](#) and [Theodora M. Fleurant](#)



Brand owners who seek federal trademark protection in the United States Patent and Trademark Office (USPTO) have become targets for impersonators, imposters, scammers and others who use deceptive practices to seek to defraud them of funds.

This article is another Scam Alert to add to the ones we have circulated:

1. [Unofficial Trademark Solicitations-February 3, 2015](#)
2. [What to Do When the Mail Smells Phishy: Spotting and Stopping a Domain Name Scam in its Tracks-August 10, 2021](#), and
3. [Beware of Scam Trademark Notifications-November 2, 2021](#)

There has been a recent surge in fraudulent and deceptive practices by bad actors who contact trademark owners directly to obtain money or personal information under the guise of performing trademark related services.

Some of these bad actors impersonate USPTO employees or representatives. Others send documents that contain details from a trademark application or registration (which are public record) that lead applicants to believe that it is necessary either to publicize their trademarks in private databases or to submit fees to finalize or maintain trademark office filings.

USPTO has taken precautionary measures to try to combat fraudulent filings, but new forms of deception are constantly emerging.

### Spoofting Phone Calls

Scammers have recently started calling trademark applicants claiming to be employees of the USPTO using a method called "spoofing." Spoofing is when a caller deceives phone networks to display a name, number and location different from the phone number actually being used by the caller. This technique is used to convince people that they are speaking to a USPTO representative so that the spoofer can obtain money or personal information.

If you receive a call from someone who claims to be from the USPTO, do not give them any personal information or submit any payments. The USPTO will not call you regarding a pending application if you have an attorney that is handling that filing for you, and it never requests personal information or payments over the phone.

### Fraudulent Solicitations for Private Publication of Marks

Private companies have creatively drafted documents that appear to be solicitations for the publication or monitoring of trademarks in private databases, or for registering trademarks internationally. They also send bogus invoices relating to trademark filings or renewals. Many of these companies do not actually perform any legitimate services in connection with establishing trademark rights in the U.S. or abroad, nor do they file any trademark maintenance or renewal documents.

Thus, you may pay for services that have no value or that do not accomplish the necessary trademark filings. Be careful of anyone urging you to send money after filing a trademark application with the USPTO.

### Steps to Report Fraud

If you have fallen victim to any of these fraudulent practices, you can send evidence of the fraud (copies of solicitations, receipts, screenshots of transactions, etc.) to the USPTO by email at [TMScams@uspto.gov](mailto:TMScams@uspto.gov) so that the USPTO can investigate. It is unlikely that you will be able to recover any money already paid, but the information will be helpful to the trademark office and others to alert them to these bad actors.

Complaints can also be filed with the [Federal Trade Commission](#) (FTC) and the [Better Business Bureau](#) (BBB).

### Things To Do

1. Be wary of phone calls from anyone claiming to be a USPTO employee or representative. Refrain from giving in to any urgent action. Do not provide personal information, including credit card numbers, bank account information or other personal information.
2. If you are suspicious about a call, you can telephone the USPTO's [Trademark Assistance Center](#) (TAC) at 1-800-786-9199 (press 1) to verify that the call was from the USPTO. If you have the number that contacted you, provide it to the USPTO employee.

3. Consult with your attorney who can advise you on the status of your application or registration. You can also check the status of your trademark filing online through the [Trademark Status & Document Retrieval \(TSDR\)](#) database.
4. Report any spoofing to the Federal Communications Commission (FCC) either [online](#) or by telephoning 1-888-225-5322.

For further information, please contact [Meichelle R. MacGregor](#), [Theodora M. Fleurant](#), or your CLL attorney.

#### [Meichelle R. MacGregor](#)

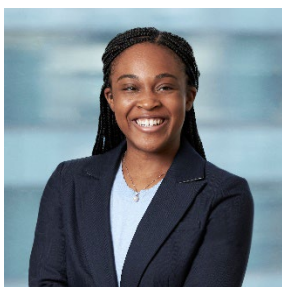


#### **Partner**

[Email](#) | 212.790.9259

Meichelle practices in the IP and litigation fields and counsels clients on a wide range of intellectual property including trademarks, trade dress, licensing, copyrights, domain names and e-commerce. She also handles commercial and corporate disputes.

#### [Theodora M. Fleurant](#)



#### **Staff Attorney**

[Email](#) | 212.790.9208

Theodora focuses on trademark and copyright clearance, prosecution, enforcement, litigation, and transactions. She is especially interested in assisting under-resourced businesses and communities to develop and protect their intellectual property, often a missing component of community economic development services. She has a particular interest in helping future fashion designers to achieve their goals.