



THINK FORWARD

Rise in Misleading Trademark-Related Solicitations

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Owners of U.S. trademark applications and registrations, and many of our clients, are reporting a recent increase in “official-looking” solicitations regarding maintenance and renewals from outside sources that potentially mislead recipients about their source. These notices do not originate from the United States Patent & Trademark Office (“USPTO”), and they may be misleading because they appear to be official and come from entities with names that recipients may confuse with the USPTO. All official correspondence from the USPTO will be from the United States Patent and Trademark Office located in Alexandria, Virginia, and all emails will be from the domain “[@uspto.gov](#).”

The USPTO has [issued an alert](#) about these potentially misleading trademark notices. The USPTO observed that some companies sending these notices “may offer legal services, assistance with filings, or other services” and that some of these services “may be legitimate.” However, the USPTO cautions that some of the offered services may not be legitimate.

Typical Features

Commonly seen features of these unofficial trademark solicitation messages include:

- Email or contact information that is similar to the USPTO email address or name, such as [email@uspto.com](#) or names that include the phrase “Patent & Trademark” or “Patent and Trademark” with words such as office, agency or bureau. The USPTO’s alert noted above provides a list of such sources in the U.S. and in other countries.
- Incorrect due date and fee information. In some cases, the solicitations may provide a due date of a year earlier than the actual due date in the hopes that owners rush to engage the sender’s services to avoid a purported lapse of trademark rights in exchange for the upfront payment of fees.
- False claims that the USPTO requires a separate registration of “clients” for which there is a penalty for non-compliance. The USPTO gives the example of services that tell recipients to record trademarks in a private registry.

How to Confirm Correspondence is Legitimate

If you have any questions about the validity of any correspondence, you can check to see if the correspondence is posted on the official USPTO Trademark Status & Document Retrieval (“TSDR”) website, <https://tsdr.uspto.gov/>, by entering the application number or registration number. Alternatively, consult with your trademark counsel to review the correspondence and assist you in maintaining your registrations.

Consider Reporting

The USPTO keeps a record of the source of these potentially misleading solicitations [on its website](#). If you have received a misleading email or correspondence regarding your U.S. Trademark Registration, you can check to see if the USPTO is already aware of this source, and if the source is not listed, you or your attorney can notify the USPTO at TMScams@uspto.gov.

Additionally, if you have paid money in response to such a misleading notice, you may file a consumer complaint with the Federal Trade Commission. While the FTC cannot resolve individual consumer complaints, the FTC website does provide [various tips for getting your money back](#).