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Beware of Trademark Phone Phishing

For years, trademark owners have fielded letters and e-mail solicitations from third parties offering trademark services that seek payment of fees. In some cases, they include language and images that make them seem like official communications from the U.S. Patent and Trademark Office ("USPTO") or other governmental agencies. Because USPTO records are public, it is easy for such third parties to obtain your company name, address, trademark information, and other details that make the communications appear credible. The scammers couch their solicitations in urgency and imply that not answering could lead to a loss of trademark rights. In almost all cases, the services advertised are neither needed nor beneficial to trademark owners.

Unfortunately, trademark owners now need to watch out for another type of threat: phone phishing. Trademark phone phishing involves attackers fraudulently impersonating USPTO employees to obtain personal, corporate, or financial information – including payments for non-existent services. These calls appear authentic because scammers often use a tactic called "spoofing" where they manipulate phone networks into displaying a name, number, or location different from their actual credentials – for example, a caller ID showing the "USPTO" as the caller.

What should you do?

Be cautious of phone calls from anyone claiming to be from the USPTO, or from a company you do not recognize relating to your trademarks. The USPTO communicates with trademark owners through their attorneys of record and does not request personal information or payments over the phone. If you receive a phishing call, we recommend that you avoid providing any personal, company, or financial information, and instead contact your attorney to determine if any further action is required. In addition, you can consult the USPTO's scam alert page on their website, which includes a listing of fraudulent scammers as well as other helpful information, and communicate your phishing experience to the USPTO via email at TMScams@USPTO.gov.

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