

(NEARLY) FOOLPROOF WAY TO AVOID SCAMS INVOLVING U.S. TRADEMARKS



(Nearly) Foolproof Way to Avoid Scams Involving U.S. Trademarks

U.S. Trademark Scams are increasingly sophisticated and prevalent. These scams can target: (1) applicants whose trademark applications have been abandoned, (2) applicants that have recently filed trademark applications, and (3) registrants who have valid trademark registrations. As a first example, applicants whose trademark application has been abandoned may receive an email or a text message claiming that a third-party “has initiated a filing for the same mark” and requesting a response “within a few hours.” As a second example, applicants that have pending trademark applications may receive an email from an individual that “immediate clarification on your intent to proceed with your registration of the trademark” is needed within the next 24 hours. As a third example, owners of a registered trademark may receive a notification that maintenance fees are due prior to the fifth-year anniversary of the date of their registered trademark. Generally, the initial trademark maintenance filing cannot be filed prior to five years after the registration date of the trademark. Here’s our suggestions on a (nearly) foolproof way to recognize, avoid, and protect yourself from these types of scams involving U.S. trademarks.

Trademark Scams: The Background

Trademark scams exploit the public nature of trademark filings and registrations. When you file a trademark application with the United States Patent and Trademark Office (USPTO), portions of the information provided to the USPTO in the trademark application are publicly available. This information includes, at least, the applied-for mark, the applied-for goods and/or services, and your contact information including your name, address, and email address and, depending on where you include it, your phone number. As an example, you can check our [Trademark Registration No. 6014496](#) for “WAR IP LAW PLLC” (reproduced below), and you can see some of the information from this trademark registration that is publicly available including, our firm name, address, email, and phone number.

STATUS	DOCUMENTS	MAINTENANCE	?	Download	Print Preview
Generated on: This page was generated by TSDR on 2025-05-27 13:46:27 EDT					
Mark: WAR IP LAW PLLC		WAR IP LAW PLLC			
US Serial Number:	88132909	Application Filing Date:	Sep. 26, 2018		
US Registration Number:	6014496	Registration Date:	Mar. 17, 2020		
Filed as TEAS Plus:	Yes	Currently TEAS Plus:	Yes		
Register:	Principal				
Mark Type:	Service Mark				
TM5 Common Status Descriptor:		LIVE/REGISTRATION/Issued and Active The trademark application has been registered with the Office.			
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.				
Status Date:	Mar. 17, 2020				
Publication Date:	Mar. 26, 2019	Notice of Allowance Date:	May 21, 2019		
▲ Mark Information ▼ Expand All					
▲ Goods and Services					
▲ Basis Information (Case Level)					
▼ Current Owner(s) Information					
Owner Name:	War IP Law PLLC				
Owner Address:	5335 Wisconsin Ave NW, Suite 440 Washington, DISTRICT OF COLUMBIA UNITED STATES 20015-2079				
Legal Entity Type:	LIMITED LIABILITY COMPANY	State or Country Where Organized:	DISTRICT OF COLUMBIA		
▼ Attorney/Correspondence Information					
Attorney of Record - None					
Correspondent					
Correspondent Name/ Address:	War IP Law PLLC 5335 Wisconsin Ave NW, Suite 440 Washington, DISTRICT OF COLUMBIA United States 20015-2079				
Phone:	202-800-3751	Fax:	202-318-1490		
Correspondent e-mail:	steve@wariplaw.com reporting@wariplaw.com	Correspondent e-mail Authorized:	Yes		
Domestic Representative - Not Found					
▲ Prosecution History					
▲ TM Staff and Location Information					

In recent years, the USPTO has invalidated trademark applications filed by non-attorneys on behalf of applicants due to fraud or failure to comply with legal requirements. For example, in January 2022, the USPTO issued a Final Order for Sanctions in the case *In re Abtach, Ltd.* There, the USPTO invalidated over 5,000 trademark applications filed by three entities because the individuals filing the trademark applications were not authorized to practice before the USPTO and therefore the filings were fraudulent. These trademark applicants did not receive any refund from the USPTO. These three entities were operating a fraudulent US trademark filing service, promising unreasonably short timeframes for obtaining a trademark registration, and sometimes even providing inflated fees on receipts and invoices to customers showing trademark applications in multiple classes, while only filing for a single class at the USPTO. Remember to double check your application after filing on the USPTOs

website, especially the applied for goods and/or services, and be extra cautious with trademark services quoting prices less than the [USPTO filing fees](#). You want to make sure you're dealing with an attorney authorized to practice before the USPTO. Keep in mind that while only U.S. - licensed attorneys are permitted to practice at the USPTO, select foreign licensed attorneys may also practice at the USPTO if they associate with a US – licensed attorney in US based matters.

Suggested Ways to Confirm That You are Working with an Attorney Authorized to Practice Before the USPTO?

Choosing the right professional is critical to a smooth trademark application process. Here are some steps you can take to ensure that the individual you're working with is authorized to practice before the USPTO. We recommend that you confirm the attorney's identity through two or more of the following steps. In our opinion, you should work directly with the attorney filing your trademark application for you, or with someone in that attorney's firm. In our opinion, it is unwise to work through a "proxy" attorney who you can't directly contact and discuss your application with.

1. Use the [USPTO Patent Practitioner Search](#)
 - The Office of Enrollment and Discipline ("OED") of the USPTO maintains a list of attorneys authorized to file patent applications with the USPTO. While an attorney does not need to be authorized to file patent applications to file a trademark application, in our opinion, it is a safe bet that an attorney included in the OED's Practitioner database is also authorized to file trademark applications with the USPTO.
 - For example, searching the OED's Practitioner database for Steven War, shows that Steven War was registered as a patent agent on March 19, 2001 and registered as a patent attorney as of March 12, 2002. It also shows that his phone number is (202) 800-3751, the firm that he works for is War IP Law PLLC and that he is currently accepting new clients.
2. Verify State Bar Membership
 - Generally, an attorney that is licensed to practice law in the United States can file trademark applications with the USPTO.
 - Confirm the attorney is licensed and in good standing with their state bar.
 - Prior to engaging an attorney, you can ask the attorney what bar(s) s/he is admitted to. Once you know what bar(s) s/he is a member of, you can access that bar and check to ensure that s/he is a member of that bar and that the attorney's membership is in good standing.
 - For example, Steven War, is a member of both the D.C. and Virginia bars.

- i. The URL for the D.C. Bar Member Directory is <https://my.dcbar.org/memberdirectory>. Performing a search on this website for Steven War shows that his phone number is (202) 800-3751, his email address is steve@wariplaw.com, that he was admitted to the D.C. bar on July 8, 2002, that he has an active membership and that he is in GOOD STANDING.
 - ii. The URL for the Virginia Lawyer Director is https://vsb.org/Site/Shared_Content/Directory/va-lawyer-directory.aspx. Performing a search on this website for Steven War shows that he is an active member of the VA Bar, that he was admitted on August 1, 2003 and that his status is “In Good Standing”.
 - iii. Use the American Bar Association’s directory to find links to some state bar associations for verification.
 - See https://www.americanbar.org/groups/legal_services/flh-home/flh-bar-directories-and-lawyer-finders/ This website provides links to some state bars.
3. Review Their Website and Reputation
 - Check the attorney or firm's website for professional information, credentials, and contact details.
 - For example, War IP Law PLLC’s website is WarIPLaw.com. Selecting “Our Firm” and “About Steven War” on that website, provides additional information about Steven War.
 - Look for independent reviews or testimonials to assess their reputation and history of service.
 - For example, our WARIPLaw.com website includes a number of reviews from current and past clients.
4. You can also see if the individual you are considering working with is currently an attorney of record for other trademark applications and registrations.
 - Step 1: Go to TESS (<https://tmsearch.uspto.gov/search/search-information>)
 - Step 2: Click “expert” searching option
 - Step 3: Type in AT: “[NAME]” into the search box. For example, if searching for Trademark Applications and Registrations currently represented by “Steven War” you would type in AT: “Steven War”.
 - By checking this you can be confident that this individual has previously filed documents with the U.S. Trademark Office. Keep in mind that just because an individual shows up here, does not indicate that they are authorized to practice before the USPTO, it only means that they have

previously filed documents with the U.S. Trademark Office. So, you should verify their Bar License separately.

Common Symptoms of Trademark Scam Emails and Services

Scam communications typically share one, or more, of these “red flags”:

- Unsolicited offers or communications, especially ones urging immediate action or payment
- Official-looking documents that mimic government agencies or law firms
- Requests for payment for unnecessary or non-existent services, such as registration in unofficial “registries” or expedited renewals
- Pressure tactics, such as threats of losing your trademark rights or other immediate legal action to be taken against you
- Poor grammar, unusual payment instructions, or requests for sensitive information

Keep in mind that any single one of these “red flags” may still be legitimate, but multiple “red flags” should prompt you to consult with a qualified trademark attorney before responding to any suspicious trademark related requests or claims. When in doubt ask an attorney if s/he offers a free discovery call to discuss your interest in filing a trademark application or other trademark filing.

Conclusion

By staying vigilant and following these verification steps, we believe that you can significantly reduce the risk of falling victim to U.S. trademark scams. Ensure your trademark application, its registration, and subsequent maintenance requirements are handled by an attorney authorized to practice before the USPTO. By taking these steps, you are protecting your brand, your time, and your wallet.

For more information email info@warilaw.com or call (202) 773-8022

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