

Legal Alerts

Trademark Email Scam Alert: Did You Receive Notice of Attempt to Register Brand Name?

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Have you recently received an email, phone message or letter claiming that another business or individual is attempting to register a business name that is either identical or similar to your brand? Beware, as this could be a scam or solicitation tactic.

How to identify this particular scam

The notice will state that if you don't act immediately, you may lose your rights to the name. The notice may or may not reference names like the Lanham Act and potential remedies available to trademark holders.

The notice will likely state that if you do not act, the party writing you will continue to work with the other business or individual to help them secure the business name. The language of the notice may sound formal and incorporate unusual phrases such as, "potential repercussions involving court-ordered cessation of trademark usage" or "the issuance of a cease-and-desist directive".

These tactics are similar to the domain name solicitations or renewal solicitations you may have seen in recent years. The United States Patent and Trademark Office is aware of the problem and issued a warning regarding misleading notices found [here](#).

What you need to do

Our advice? Refrain from responding to these notices, as they may be attempts to gather sensitive information. If your brand name is already a registered trademark, this is likely your best defense against unauthorized use.

If your brand name is not registered as a trademark, or if you have questions about trademark protection, we are here to assist you in registering your trademark at either the state or federal level.

Learn how we can assist

Foster Garvey's [IP & Technology](#) team partners with a wide range of clients to devise strategies aimed at safeguarding precious intellectual property and maximizing the value of their portfolios. Through our practical and holistic IP counsel, which includes advising on trademarks, copyrights and patents, we help clients navigate the complex legal landscape and simplify the process for the protection, exploitation and disposition of IP assets.

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