

TRADE MARK SCAMS: WHAT YOU NEED TO KNOW

As a trade mark owner, you have invested time and effort into protecting your intellectual property. Unfortunately, unscrupulous individuals or companies increasingly target trade mark owners with scams, exploiting your dedication to protecting your brand. This factsheet explains what to look for and how to protect your business.

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COMMON TRADE MARK SCAMS



The core strategy behind these scams is to deceive you into making unnecessary trade mark payments. Scammers may do this by falsely representing that:

- additional fees must be paid to progress or maintain your trade mark protection;
- you need to file additional trade mark applications (often at an inflated cost) to adequately protect your brand; and
- you must oppose a third-party application in another country, or you risk damaging your trade mark rights.

POTENTIAL SCAM SIGNS



- **Unsolicited Correspondence:** Scammers often send official-looking letters or emails claiming to be from government trade mark offices or legitimate trade mark service providers. They may use names similar to legitimate sources (e.g. 'Australian Trade Mark Office' instead of 'IP Australia') or even the names of legitimate registered trade mark attorneys.
- **Urgent Action Required:** The correspondence tries to create a sense of urgency, for example, by telling you that a third party is trying to register your brand or that your trade mark is due for renewal much earlier than it is.
- **Fake Invoices:** Some scammers provide fake invoices for services you never requested or received, hoping you will pay without checking the legitimacy.

STEPS TO TAKE



- If you receive any unsolicited invoices or correspondence requesting payment of fees for services you did not request, do not make any payments or divulge confidential information until you have verified the correspondence's legitimacy.
- If you are unsure about any correspondence you receive, contact a trusted trade mark professional. They can confirm whether the correspondence is legitimate.
- Use this opportunity to discuss with a trade mark professional whether your protection is up to date or if there are any gaps or vulnerabilities that need to be rectified.