

# THE LAW OFFICES OF ERIC HANSCOM

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## Free Consultations

We provide free 45-minute consultations to current and prospective clients at least once a month at our office. This is an opportunity to have one of us review your invention, trademark, or other intellectual property issue and provide guidance on options and recommended courses of action. Our next free consultations days are scheduled for:

Monday, June 30  
Tuesday, July 22  
Saturday, August 16

Please contact us by phone or email to schedule your free 45-minute consultation on one of these days.



The information provided in this newsletter is for educational purposes only. The articles within should not be considered a substitute for professional advice. Legal advice needs to be tailored to specific circumstances, and you should therefore consult with an attorney for advice regarding your particular situation. No attorney-client relationship is created by presentation of this information.

# THE INTERPRETER

## Trademark Scams: What to Watch For

By Eric Hanscom

Once you obtain a trademark, the information regarding the mark and the addresses associated with the registration become public domain. More frequently, this public information is mined and misused to create official looking correspondence that convince trademark owners that fees are due or additional services are required to protect and sustain their mark. These scams are widespread and can be very costly!

The most common of these scams occur when you receive an official

looking document from a "government" agency urging you to register your mark in its book or pay past due fees. Unfortunately, purchasing space in this type of book is equivalent to purchasing an advertisement for your trademark and it will not confer trademark rights or serve as giving notice of the mark in another country. Also, because your registration is in the public record, you may receive well timed "invoices" requesting payment for past due fees or new payment for services to monitor your mark. One such scam that has been getting a lot of attention is offered by a company that

See **Scams** on the back page

## Hanscom Attorneys Take the USPTO by Storm!

At the end of April, Eric and Todd headed off to our Nation's capital to meet with USPTO examiners in an effort to expedite and simplify the patent process for many of their clients. This was their first trip to the USPTO and it has proven to be a very efficient way to deal with the patent process. By sitting down with the examiners, attorneys have an opportunity to significantly advance and expedite a client's patent application, while saving the client both time and money. Eric and Todd found the face to face meeting to provide a unique setting to hear from the examiner's mouth exactly what the examiner needed in order to allow certain patents or claims; as well as affording the attorney the ability to clear up confusion and misinterpretations on the part of the examiner. In some cases it was as simple as showing the examiner the invention and giving them the opportunity to look beyond the drawings to grasp the

functionality and structure of the invention itself.

The trip itself lasted three days and permitted for nine interviews that discussed ten different patents. The duo successfully overcame rejections on eight of the ten patents. However, regardless of the outcomes, the attorneys estimate that a personal visit to the USPTO saves a client approximately six months to a year in prosecution time. Essentially this trip replaces the receipt of an office action from the examiner and then the time it takes the attorney to respond, plus the time it will take to receive yet another response back from the examiner.

If you find yourself interested in this approach to the application process please contact us. Subsequent trips to Washington DC are currently being planned.

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### We're on the Web!

*Learn more about us and our  
services at*

[www.EricHanscom.com](http://www.EricHanscom.com)

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Eric Hanscom,  
CA Bar # 183,359, and  
Todd Langford,  
CA Bar # 254,517 are  
responsible for the  
content of this  
newsletter.

### *Scams continued from the front page*

calls themselves the United States Trademark Protection Agency (USTPA). This company sends a letter offering an electronic trademark monitoring service that is supported by the USPTO. It is not affiliated with the USPTO and the USPTO has recently come out on their website warning against the services offered by the USTPA.


Another frequent service that may be offered in connection with your mark revolves around the registration of internet domain names. You may receive correspondence imploring you to register your trademark as a domain name in other countries in order to protect your rights in those countries. The letter will commonly represent that your trademark is being registered as apart of another person's domain name application and they will then offer to sell you a list of domain's including your trademark or offer to file a "protest" of the other party's application on your behalf for a modest fee.

Please be vigilant and wary regarding any correspondence referring

### **ABOUT US...**

The Law Offices of Eric Hanscom provides services focused in the area of intellectual property, including patent and trademark prosecution, licensing, business entities, and estate planning.

to your trademark and if you have any questions regarding these solicitations please feel free to contact us. Not every service offered is a scam, there are many legitimate services available; however, we recommend you seek legal advice before utilizing these services. Also, remember that if you are represented by an attorney in the filing of your trademark, the USPTO will not send mailings directly to you; rather, they will be sent to your attorney of record. ■



**SPECIAL!!!**

Put your economic stimulus check to good use! Don't just spend it, invest it by obtaining a federally registered trademark. For a limited time, Trademark applications are only \$600 per mark **including the filing fee!** This is a savings of \$175 off of our normal price. The special price is for filing one mark in one class of goods or services. Responses are billed at our normal hourly rate. Hurry, as this offer is only good until July 4<sup>th</sup>, 2008.

We strive to exceed our client's expectations and provide quality legal representation at competitive prices. Please ask us about flat fees and payment plans that are offered for a variety of services. ■

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