UNITED STATES PATENT AND TRADEMARK OFFICE



USPTO Hour: Trademark "Change Address or Representation" (CAR) form authorization updates

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Discussion topics

- History of trademark application hijacking
- Demonstration of updated authorization process
- Goals for preventing application and registration hijacking



Discussion topic

History of trademark application hijacking

Where access is heading

- Historically trademark filing systems have been very open
 - Little incentive for bad actors to interfere
- New ways to leverage IP value have created new incentives for bad actors
- Hijacking, scams, and fraud have consumed a significant amount of USPTO resources

Application hijacking

- Over 15,000 confirmed cases of attorney credential theft uncovered in last year
- Nearly 1000 fraudulent CAR forms filed per week at pre ID-verification peak
- Express abandonments have been filed in bad faith
 - Changes are reversible, but time-consuming

Scams and bad actors

- Three attorney accounts filed more than 1500 applications over 2 days
- One scam: impersonating a famous brand, with the email address as the only change
- Fake emails going out for USPTO consultation
- Scammers continually trying to get unwitting customers to ID verify scammer account

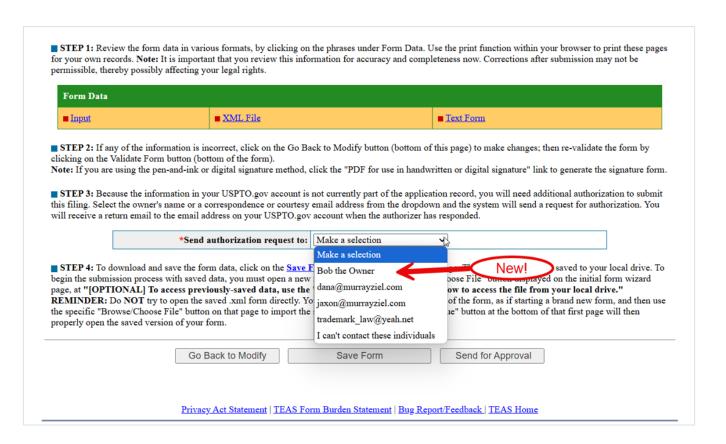
Additional authorization

- In forms that allow for changes of owner or attorney information, certain actions trigger a need for additional authorization
- The CAR form now allows authorization requests to be sent to the owner when a change of representation is requested
- This is a step toward enforcing roles

Discussion topic

Demonstration of updated authorization process

Demo of new CAR owner option



Discussion topic

Goals for preventing application and registration hijacking

Role-based access

- Culmination of three phases of account protections
 - Phase 1 (2019): Login with 2-factor authentication
 - Phase 2 (2022): ID verification
 - Phase 3 (Current): Role-based access
- End goal is to make filing secure, accessible, and convenient



Role functions and management

- Roles should allow the level of access expected for the customer
 - Pro se owners may not need bulk filing or easy access to filings belonging to a different owner
- Management is also important
 - Attorneys are managing complex dockets with many users in various roles
 - Relationships managed through sponsorship and association

Role integrity

- Need to know that people accessing customer files are who they say they are
- This includes the type of user
- Office continues to review ways to ensure role integrity



Questions?



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