

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

■ **STEP 1:** Review the form data in various formats, by clicking on the phrases under Form Data. Use the print function within your browser to print these pages for your own records. **Note:** It is important that you review this information for accuracy and completeness now. Corrections after submission may not be permissible, thereby possibly affecting your legal rights.

Form Data		
■ Input	■ XML File	■ Text Form

■ **STEP 2:** If any of the information is incorrect, click on the Go Back to Modify button (bottom of this page) to make changes; then re-validate the form by clicking on the Validate Form button (bottom of the form).

Note: If you are using the pen-and-ink or digital signature method, click the "PDF for use in handwritten or digital signature" link to generate the signature form.

■ **STEP 3:** Because the information in your USPTO.gov account is not currently part of the application record, you will need additional authorization to submit this filing. Select the owner's name or a correspondence or courtesy email address from the dropdown and the system will send a request for authorization. You will receive a return email to the email address on your USPTO.gov account when the authorizer has responded.

*Send authorization request to:

Make a selection

Make a selection

Bob the Owner

dana@murrayziel.com

jaxon@murrayziel.com

trademark_law@yeah.net

I can't contact these individuals

Go Back to Modify Save Form Send for Approval

■ **STEP 4:** To download and save the form data, click on the [Save Form](#) button. To begin the submission process with saved data, you must open a new page, at "[OPTIONAL] To access previously-saved data, use the **REMINDER:** Do NOT try to open the saved .xml form directly. You must use the specific "Browse/Choose File" button on that page to import the properly open the saved version of your form.

New! saved to your local drive. To begin the submission process with saved data, you must open a new page, at "[OPTIONAL] To access previously-saved data, use the **REMINDER:** Do NOT try to open the saved .xml form directly. You must use the specific "Browse/Choose File" button on that page to import the properly open the saved version of your form.

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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