

EXTRA PROTECTION: FILING A TRADEMARK OR COPYRIGHT WITH UNITED STATES CUSTOMS

You may record a registered trademark or copyright with United States Customs and Border Protection (“Customs”). Once a trademark or copyright is recorded with Customs, the owner’s information is entered into an electronic database accessible to over 40,000 Customs officers in the United States and overseas. Customs uses this information at all 317 official ports of entry to target suspect shipments for the purpose of physically examining merchandise, which ultimately prevents the importation or exportation of infringing goods.

Reasons to record with Customs include:

First: Customs will monitor and seize infringing merchandise at the ports of entry. This means that the trademark or copyright owner does not have to locate and prosecute every unauthorized importer, distributor or retailer illegally using its trademark or copyright.

Second: Customs has the authority to issue monetary fines against anyone who facilitates the introduction of counterfeit merchandise into the United States.

Third: Customs may go to the United States Attorney’s Office and request that those involved in the illegal activity be criminally prosecuted under the Trademark Counterfeiting Act of 1984

Fourth: Customs may coordinate and participate in raids on counterfeit production facilities internationally. Customs officers located at American Embassies around the world routinely cooperate with foreign law enforcement agencies and share information for the criminal prosecution of manufacturers and exporters of counterfeit merchandise located overseas.

Trademark and copyright recordings are now filed online with Customs’ new Intellectual Property Rights e-Recordation (IPRR) online system. The Customs filing fee is currently \$190.00. For these recording services, our firm charges a flat fee based on the number of trademarks or copyrights to be recorded.