

Kluwer Trademark Blog

German criminal court finds three defendants guilty of fraud for sending misleading invoices to EUIPO customers

European Union Intellectual Property Office (EUIPO) (EUIPO) · Friday, October 4th, 2024

In September 2024, the Munich Court (Germany) found three defendants guilty of commercial gang fraud for sending misleading invoices to EUIPO customers. Each defendant was sentenced to 1 year and 10 months of imprisonment, suspended with a three-year probation period. The Court also ordered that the confiscation of around €200,000 – the amount the fraudsters unlawfully obtained – to be used for compensation.

The EUIPO considers this an important legal precedent, marking the time that a criminal court of an EU Member State has qualified the sending of misleading payment requests to intellectual property (IP) system users as a criminal offence of fraud. This decision paves the way for ongoing and future investigations and indictments in other jurisdictions.

In December 2020, following numerous reports from customers, the EUIPO filed a criminal complaint for suspected fraud before the competent Public Prosecutor's Office in Germany.

The fraud scheme consisted of letters sent under the name 'IP Register UG', closely resembling official fee invoices. The letterhead featured the designation "European IP Register", and the subject line highlighted "Data publication from Office for Harmonisation in the Internal Market (OHIM)" – the EUIPO's former name. These misleading letters included a "total due" amount, a payment deadline and bank details. Only in small print, barely legible at the bottom of the letters, was the invoice described as a proposal.

Between November 2020 and April 2021, the defendants wrongfully received payments of approximately €200,000 from unsuspecting customers.

In this German case, the court convicted the defendants of commercial gang fraud, whereas in a [similar case in Sweden](#), the defendants were convicted of gross fraud in 2017. These cases set legal examples for treating these schemes as criminal fraud.

Beware of misleading payment requests! Do not pay before you check

To protect our customers, we will continue to publish scam letters and emails in a searchable database of [misleading payment requests](#) available on the EUIPO website and further relayed on our social media channels. We strongly advise our customers to carefully check any communication they receive in relation to their trade mark or design applications.

If you receive suspicious communications or have any doubts, please contact us immediately at: CustomerCare@euipo.europa.eu

To make sure you do not miss out on regular updates from the Kluwer Trademark Blog, please [subscribe here](#).

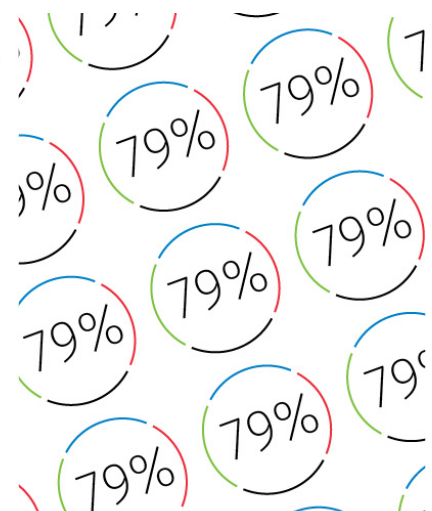
Kluwer IP Law

The **2022 Future Ready Lawyer survey** showed that 79% of lawyers think that the importance of legal technology will increase for next year. With Kluwer IP Law you can navigate the increasingly global practice of IP law with specialized, local and cross-border information and tools from every preferred location. Are you, as an IP professional, ready for the future?

Learn how **Kluwer IP Law** can support you.

79% of the lawyers think that the importance of legal technology will increase for next year.

Drive change with Kluwer IP Law.
The master resource for Intellectual Property rights and registration.



2022 SURVEY REPORT
The Wolters Kluwer Future Ready Lawyer
Leading change

This entry was posted on Friday, October 4th, 2024 at 9:18 am and is filed under [Case law](#), [EUIPO](#). You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. You can leave a response, or [trackback](#) from your own site.

