



United States Patent and Trademark Office

Office of the Commissioner for Trademarks

March 26, 2018

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Alexander Dii
USAEU Intellectual Property Service
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SHOW CAUSE ORDER

To the attention of Dongying Bao, Baoquan Di, Alexander Dii, and any other officers or agents of USAEU Intellectual Property Agency Co. Ltd. or its affiliates:

For the reasons set forth below, the United States Patent and Trademark Office (USPTO) is considering excluding the business entity identified publicly as "USAEU," and any of its agents or employees, from filing any submissions, engaging in any communications, or participating in any financial transactions with the USPTO on behalf of others in connection with any trademark matters before the USPTO.

Background

The USPTO has identified more than 2,200 applications that appear to be associated with USAEU. Although these applications appear to belong to various unrelated parties, the correspondence information, credit card data, and IP addresses associated with the applications indicate that the applications were filed by and/or paid for by agents or employees of USAEU, as detailed below.

- Approximately 600 applications were filed using the credit cards of **Dongying Bao** (鲍冬影), who appears to hold the following titles/positions: Executive Director and General Manager of USAEU (Shenzhen) Intellectual Property Agency Ltd. Co.; Executive Director and General Manager of USAEU (Shenzhen) Cultural Media Ltd. Co.; Supervisor and Executive Director of Shenzhen USAEU Trading Service Ltd. Co.; Executive Director and General Manager of USAEU (Kunshan) Trading Service Ltd. Co.; and Executive Director of Shenzhen USAUK United Trading Service Ltd. Co. *See* Attachment Nos. 1-6.
- Approximately 900 applications were filed using the credit cards of **Baoquan Di** (狄宝权), who appears to hold the following titles/positions: Supervisor of USAEU (Shenzhen) Intellectual Property Agency Ltd. Co.; Supervisor of USAEU (Shenzhen) Cultural Media Ltd. Co.; General Manager of Shenzhen USAEU Trading Service Ltd. Co.; Supervisor of USAEU (Kunshan) Trading Service Ltd. Co.; and General Manager of Shenzhen USAUK United Trading Service Ltd. Co. *See* Attachment Nos. 1-6.
- Approximately 700 applications were filed using the credit cards of **Alexander Dii** of USAEU Intellectual Property Service, which lists a post office box address in Tampa, Florida. *See* Attachment No. 1.

Consistent with the filing totals noted above, the “About” webpage on the USAEU website, located at <http://www.usaeu.cn/>, states that, in 2015, “USAEU submitted for others over 1,000 U.S. trademark applications, making it one of our country’s biggest trademark agencies for U.S. registrations” and that “[t]he total U.S. applications in 2016 were over 3,000.” *See* Attachment No. 7. Despite these claims, there is no evidence that any agent or employee of USAEU is qualified or authorized to lawfully represent an applicant or registrant in trademark matters before the USPTO.

Furthermore, USAEU appears to be associated with Emilie Bo, an individual who has already been excluded from practice before the USPTO. Specifically, statements in submissions made in connection with some of the applications filed by USAEU indicate that Emilie Bo assisted with the preparation of the application submissions, including selecting specimen submissions on behalf of the applicants. *See, e.g.*, U.S. Application Serial Nos. 87300468 (Response to Office Action, Dec. 12, 2017), 87338002 (Response to Office Action, Dec. 26, 2017), 87402239 (Response to Office Action, Feb. 7, 2018), and 87443736 (Response to Office Action, Jan. 7, 2018). In addition, contact information associated with Emilie Bo can be linked to USAEU contact information in these applications. Copies of the order excluding Emilie Bo are available

at: https://www.uspto.gov/sites/default/files/documents/Exclusion_Order-Emilie_Bo.pdf and https://www.uspto.gov/sites/default/files/documents/Exclusion_Order_EmilieBo_Chinese.pdf.

Facts & Circumstances Suggest USAEU is Engaging in Unauthorized Practice

Under U.S. federal regulations, the **only** individuals who may represent an applicant or registrant in trademark matters before the USPTO are (1) attorneys who are licensed to practice in the United States or (2) Canadian agents or attorneys who are authorized by the USPTO to represent applicants located in Canada. *See* 37 C.F.R. §§ 2.17, 11.1, 11.14. Foreign attorneys and non-attorneys are not recognized to practice before the USPTO in trademark matters on behalf of others. 37 C.F.R. § 11.5(b)(2), 11.14(b).

Based on the information set forth in the preceding section, it appears that USAEU is not authorized to practice before the USPTO, yet is actively engaged in representing others in trademark matters before the USPTO. Representation includes giving advice to an applicant or registrant in contemplation of filing a trademark application or application-related document; preparing or prosecuting an application, response, post-registration maintenance document, or other related document, including completion of electronic forms on the USPTO website; signing amendments to applications, responses to Office actions, petitions to the Director, requests to change the correspondence address, or letters of express abandonment; and authorizing issuance of examiner's amendments and priority actions. *See* 37 C.F.R. §§ 11.5(b)(2), 11.14(b); Trademark Manual of Examining Procedure (TMEP) §§ 602.01, 608.01. Furthermore, under the USPTO's rules of practice, it is improper to electronically sign another person's name in a trademark-related submission. *See* 37 C.F.R. § 2.193. Additional information about unauthorized practice is available on the USPTO website at <https://www.uspto.gov/trademark/trademark-updates-and-announcements/warning-unauthorized-lawpractice> and <https://www.uspto.gov/trademark/trademark-updates-and-announcements/proper-representation-trademark-matters-chinese>.

Under 35 U.S.C. § 3(b)(2)(A), the Commissioner for Trademarks possesses the authority to manage and direct all aspects of the activities of the USPTO that affect the administration of trademark operations. This includes the authority to exclude persons from conducting business in trademark matters before the USPTO, when appropriate. *See* 35 U.S.C. §§ 2(b)(2)(D), 3(b)(2)(A).

Because there is no evidence that any of USAEU's agents or employees meet the requirements to lawfully represent others in trademark matters before the USPTO, the USPTO is considering excluding USAEU, and all of its agents and employees, current and future, from filing any submissions, engaging in any communications, or participating in any financial transactions with the USPTO on behalf of others in connection with any trademark matters before the USPTO. This exclusion would also cover all current and future email addresses, physical addresses, and credit cards linked to USAEU.

Response Required

In view of the foregoing, USAEU is hereby ordered to show cause why the USPTO should not take the following actions:

- (1) Cease acceptance of any filings or related documentation for trademark applications or registrations associated with any individuals, email addresses, physical addresses, or credit cards linked to USAEU;
- (2) Remove all relevant contact information used for correspondence purposes, including any email addresses linked to USAEU, from the relevant applications and registrations; and
- (3) Prohibit all participation by USAEU and any of its agents or employees in any trademark applications or registrations, or any related financial transactions, before the USPTO by any means, including as an agent, attorney, correspondent, domestic representative, signatory, intermediary, or other actor.

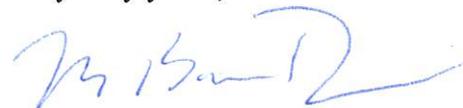
Any response to this order from USAEU must be signed by one of its recognized officers, verified by notarial seal, or, alternatively, signed by an attorney who is licensed to practice in the United States.

Any response must be received at the following address within **60 days** of the date of this letter:

U.S. Patent and Trademark Office
Commissioner for Trademarks
Attn: Administrator for Trademark Policy & Procedure
600 Dulany Street
Madison Building East, 10th Floor
Alexandria, Virginia 22313-1450
Fax: 571-273-8900

A response may include a request for additional time to respond; these requests are considered on a case-by-case basis. Failure to provide a timely response to this order will prompt the USPTO to undertake the exclusionary actions described above.

Very truly yours,



Mary Boney Denison
Commissioner for Trademarks

Encls.