



# United States Patent and Trademark Office

Office of the Commissioner for Trademarks

December 9, 2022

To:  
Adam Klein

Via Email:  
**kleineadam@gmail.com**

*In re Adam Klein AKA Amit Klein*

## ADMINISTRATIVE ORDER

Dear Mr. Klein:

The United States Patent and Trademark Office (“USPTO” or “Office”) has determined that you, Adam Klein AKA Amit Klein, have violated the Terms of Use for USPTO Websites and the Trademark Verified USPTO.gov Account Agreement.

Therefore, effective immediately, the USPTO will suspend, terminate, and revoke any USPTO accounts known to be associated with you.

### I. USPTO Terms of Use and Account Agreement

Users of USPTO systems are bound by the Terms of Use for USPTO websites (“Terms of Use”), and the United States Patent and Trademark Office Trademark Verified USPTO.gov Account Agreement (“Account Agreement”). A copy of these agreements are available at <https://www.uspto.gov/terms-use-uspto-websites> and <https://www.uspto.gov/sites/default/files/documents/TM-verified-account-agreement.pdf>.

Under the Terms of Use and the Account Agreement, a user must comply with his or her obligations under the laws, regulations, and policies of the USPTO, and may not engage in fraudulent or illegal activity. Failure to comply may result in the termination, suspension, or revocation of a USPTO.gov account without prior notice.

### II. Violation of Terms of Use and Account Agreement

All submissions to the USPTO in trademark matters are governed by the U.S. trademark laws and the regulations governing practice in trademark matters before the USPTO (“USPTO Rules”). See *generally*, 15 U.S.C. 1051 et seq.; 37 C.F.R. Parts 2, 11. In

addition, all parties who sign or present documents to the USPTO are bound by the USPTO Rules.

Any party who presents a trademark submission to the USPTO is certifying that all statements made therein of the party's own knowledge are true and all statements made therein on information and belief are believed to be true. See 37 C.F.R. §§ 2.193(f), 11.18(b)(1). The party is also certifying that, "[t]o the best of the party's knowledge, information and belief, formed after an inquiry reasonable under the circumstances, . . . the paper is not being presented for any improper purpose, such as to harass someone" and "[t]he allegations and other factual contentions have evidentiary support." 37 C.F.R. § 11.18(b).

USPTO evidence supports a finding that Respondent signed and filed the supporting declarations for three trademark applications for an improper purpose in violation of USPTO Rules. Based on the evidence discussed below, the USPTO has reason to believe that U.S. Application Serial Nos. [REDACTED],<sup>1</sup> were filed for the improper purpose of harassing an individual in violation of 37 C.F.R. §11.18(b).

First, USPTO evidence supports a finding that these applications were filed as part of Respondent's efforts to stalk and harass [REDACTED], hereinafter referred to as "Respondent's victim" or "victim." The applications contain variations of, or references to, the victim's name. After obtaining a protective order based on Respondent's stalking conduct, Respondent's victim sought injunctive relief, which was granted. In ordering injunctive relief, the Court identified these trademark applications, among websites, domain names, email addresses, and a business, as elements of Respondent's stalking conduct. Order Directing Respondent to Remove Online Cyberstalking Content, [REDACTED] v. Klein, No. [REDACTED]-[REDACTED] (Fla. [REDACTED] Cir. Ct. [REDACTED]) (identifying the trademark applications as "Cyberstalking material"). The Court's relief included the "formal withdrawal" of the applications identified above in order to enter injunctive relief "necessary for the protection of a victim of stalking," and to "restrain Respondent from committing any act of stalking." *Id.* (internal citations omitted).

Indeed, in a court filing prepared by Respondent's victim, the victim describes one of the trademark applications and the mark therein as "terrifying," "derogatory," and the means to harass her. In the same filing, Respondent's victim characterized his efforts, including filing Application Serial No. [REDACTED], as an apparent attempt to assume her identity. Consistent with the characterization of Respondent's actions, his victim filed a Letter of Protest against Application Serial No. [REDACTED], the evidence for which included communications from Respondent consistent with the victim's description of his threats.

Without question, applications filed for the purpose of cyberstalking are filed with intent to harass someone. Therefore, the above-referenced applications, filed by you to stalk and

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<sup>1</sup> The USPTO redacted the application serial numbers, and other portions of this document, to protect the identity of Respondent's stalking victim.

harass another, were submitted for an improper purpose and thus violate the USPTO's Terms of Use and Account Agreement.

Furthermore, you are advised that violations of 37 C.F.R. § 11.18(b) may jeopardize the validity of the application or registration, and violations of 37 C.F.R. § 11.18(b)(2) may result in the imposition of sanctions. See 37 C.F.R. § 11.18(c). These sanctions may include the termination of pending applications or proceedings, and the requirement to be represented by a qualified practitioner in any subsequent trademark matters before the USPTO. In this case, because the subject applications have already been abandoned and your account access is being terminated, the USPTO has not imposed sanctions, but reserves the right to do so, if later deemed necessary.

### III. Conclusion

In view of the foregoing, the USPTO's Office of the Chief Information Officer will be directed to suspend, terminate, and revoke any USPTO accounts in which your name or contact information appears.

You need not submit a response to this order, but if you choose to respond, the response may be submitted formally in writing to the Deputy Commissioner for Trademark Examination Policy in an email to [TMPolicy@uspto.gov](mailto:TMPolicy@uspto.gov).

This order is issued without prejudice to the USPTO taking all other appropriate actions to protect its systems from any continued improper activity, including referring your conduct to relevant state and federal law enforcement agencies.

So ordered,

Users,  
Cotton, Amy

Digitally signed by  
Users, Cotton, Amy  
Date: 2022.12.09  
15:40:29 -05'00'

Amy P. Cotton  
Deputy Commissioner for Trademark Examination Policy

**CERTIFICATE OF SERVICE**

I certify that on December 9, 2022, the foregoing Show Cause Order was emailed to Respondent at the following email address:

Email: **kleineadam@gmail.com**

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P.O. Box 1450  
Alexandria, VA 22313-1450