

# Cybersecurity and Law

2025 Nr 2 (14)

DOI: 10.34567/cal/215906



## Misleading Invoices in EUIPO Proceedings: Identification, Legal Responses, and Best Practices for Combating Fraudulent Tactics

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### Abstract

The author highlights the tactics used in fraudulent invoicing schemes targeting applicants and proprietors of EU trademarks, explores methods for identifying such practices, assesses available legal responses, and discusses best practices for combating these deceptive actions. It is estimated that fraudsters request an average fee of EUR 1,500, with annual profits from these fraudulent activities exceeding EUR 26 million. Due to the perpetrators' adaptability, the problem is considered nearly unstoppable. Until now, this issue has not been the subject of significant doctrinal commentary.

The above-mentioned issue was examined on the basis of an analysis of the relevant literature, online publications, and press sources, with the primary reference being the EUROPOL, Misleading payment request fraud targeting intellectual property right owners: 2024 situation report (Public report) (2025, May 16).

Analysis indicates that fraudulent activity continues to increase, with scammers frequently modifying their schemes, including the introduction of new email templates, fictitious offices, and pseudo-services such as publication registers, monitoring, or protection. The data further show that perpetrators are increasingly successful in impersonating official bodies through email spoofing, phishing, and the use of counterfeit certificates, logos, and names closely resembling legitimate authorities. These schemes are characterised by high profitability and low risk.

The problem has persisted for over a decade, with enforcement struggling to match the speed of perpetrators' adaptations. Long-term solutions will require close cooperation between IP offices, professional representatives, law enforcement, and business organizations, alongside broad dissemination of information on fraudulent practices to reduce their credibility.

### Keywords

*misleading invoices, EUIPO, EUROPOL, trademarks*

## General remarks

For over a decade, users of the intellectual property system have been the target of persistent scams, from the very start of the registration process and throughout the entire period of protection<sup>1</sup>. IP rights owners receive payment requests for unnecessary or unwanted services from organisations whose main purpose is to mislead or deceive, as the format of these notices makes them appear to come directly from IP offices, registers, or other official bodies<sup>2</sup>. Based on the most recent data available from 2024, this scheme is believed to affect around 17,500 victims per year. With EUR 1,500 as the average fee requested by fraudsters, the yearly profits generated by this activity exceed EUR 26 million<sup>3</sup>. In official communications and media reports, this phenomenon is commonly referred to as the issuance of “misleading invoices”, a term that will also be used in this study. Drawing on the latest reports from the European Union Intellectual Property Office (EUIPO) and the European Union Agency for Law Enforcement Cooperation (Europol), this article presents methods of identification, legal responses, and best practices for combating fraudulent and misleading invoices in EUIPO proceedings related to trademarks.

## Fees in EUIPO Proceedings

In the misleading invoices procedure, fraudsters exploit users’ limited understanding of the procedural rules governing the registration process. It should be recalled that trade mark protection involves the payment of fees, which may be structured in different ways. In some systems there may first be a one-off fee for the office to examine the application for the grant of a right, followed, in the event of a positive decision, by periodic fees for successive ten-year protection periods (as is the case, for example, before the Polish Patent Office (UPRP). By contrast, before the EUIPO the application fee constitutes also the fee for the first ten-year period of protection.

The specific rules on the payment of fees and charges in European Union Trade Mark (EUTM) matters are laid down in Articles 178–181 and Annex I to Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union Trade Mark<sup>4</sup>. When applying for protection of

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<sup>1</sup> EUROPOL, Misleading payment request fraud targeting intellectual property right owners: 2024 situation report (Public report) <https://www.europol.europa.eu/publications-events/publications/misleading-payment-request-fraud-targeting-intellectual-property-right-owners>, p. 3 [access: 14.12.2025].

<sup>2</sup> ECTA, Anti-Scam Activities, <https://ecta.org/en/events-activities-anti-scam-activities/> access: 14.12.2025].

<sup>3</sup> EUROPOL, Misleading payment request fraud targeting intellectual property right owners: 2024 situation report (Public report). <https://www.europol.europa.eu/publications-events/publications/misleading-payment-request-fraud-targeting-intellectual-property-right-owners>, p. 4; In 2021, the average amount of the fraudulent fee was EUR 2 000, between 1% and 2% of the targeted IPR owners paid the requested fee, which leads to the presumption that the possible annual income for the fraudsters was between EUR 12 and EUR 16 million, considering the amount of IP registered per year (EUROPOL, Misleading invoice fraud targeting the owners of intellectual property rights Crime situation in 2021, <https://www.europol.europa.eu/publications-events/publications/misleading-invoice-fraud-targeting-owners-of-intellectual-property-rights-crime-situation-2021>, p. 8) [access: 14.12.2025].

<sup>4</sup> Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union Trade Mark. Official Journal of the European Union, L 154, 1–55, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017R1001>, further as: EUTMR [access: 14.12.2025].

an EU trade mark (EUTM), the basic fee must be paid on the filing date or within one month of the EUIPO receiving the application. The Office will examine trade mark applications and process any related communications only once this fee has been paid. The total fee depends on the number of classes listed in the application, which must be classified according to the Nice Classification (a list that is a mandatory part of the application documentation). The basic fee for an individual EUTM application is EUR 850 if filed online, or EUR 1,000 if submitted in paper form, and it covers the first class of goods or services. An additional fee of EUR 50 is payable for the second class, and EUR 150 for each subsequent class. These amounts cover both the examination of the application and the first ten-year period of protection, starting from the date of filing.

In the official confirmation of the filing of a trademark application, the EUIPO clearly indicates the amount to be paid, the bank accounts to which the payment must be made, and the deadline for payment. It also immediately assigns an individual verification code to the payment. The confirmation expressly states that “EUIPO does not issue invoices”. At this point, it is worth noting that the Office handles all payments exclusively through two Spanish bank accounts:

- CaixaBank: ES03 2100 2353 0107 0000 0888
- Santander: ES08 0049 6659 0121 1622 4792

In accordance with Article 52-53 EUTMR, registration of the EUTM may be renewed indefinitely for further periods of 10 years. The renewal fees must be paid on or before the date on which they become due. Registration of the EUTM is renewed at the request of the proprietor of the EUTM or any person expressly authorised by them, provided that the relevant fees have been paid. Article 53(4) EUTMR precisely sets out the information required when making payment, stipulating that the request for renewal shall include: (a) the name of the person requesting renewal; (b) the registration number of the EUTM to be renewed; (c) where renewal is requested for only part of the registered goods and services, an indication of those classes or those goods and services for which renewal is requested, or of those for which renewal is not requested, grouped according to the classes of the Nice Classification, each group being preceded by the number of the class to which it belongs and presented in the numerical order of that classification.

Where the request is submitted, or the fees are paid, only in respect of some of the goods or services for which the EUTM is registered, the registration shall be renewed only for those goods or services. Where the fees paid are insufficient to cover all the classes of goods and services for which renewal is requested, the registration shall be renewed if it is clear which class or classes are to be covered. In the absence of other criteria, the Office shall take the classes into account in the order of the classification (Article 53 (5) EUTMR). Renewal takes effect on the day following the expiry date of the existing registration, and such renewal is entered in the register (Article 53 (6) EUTMR).

If a request for renewal is not submitted, is submitted late, or if the renewal fees are not paid (or paid late), or if any issues mentioned in Article 53(3) of the EUTMR are not fixed within the given period, the EUIPO will declare that the registration has expired and will inform the trademark owner. Once this decision is final, the trademark will be removed from the register, with the cancellation taking effect from the day after the registration expired. If the renewal fees were paid but the trademark was not renewed, those fees will be refunded (Article 53(8) EUTMR). The Office is not required to establish the reasons for non-payment of

the renewal fee, and no criticism can be levelled at the EUIPO for not having examined this issue.

The aforementioned provisions underscore the critical importance of submitting fees accurately and within the prescribed deadlines, as well as the significant consequences that may arise from non-payment.

## **Mechanism of Misleading Invoices**

In the process of disseminating misleading invoices, the perpetrators use various means of communication to contact their victims, including both traditional letters and emails. While unprofessional attempts do occur, the far more common scenario involves highly professional-looking correspondence. In general, two main patterns can be distinguished. In the less sophisticated case, the letters drafted by the fraudsters are brief and almost telegraphic, often containing numerous punctuation and grammatical errors, as well as informal language that does not match the formal style of communication typically used by European Union agencies<sup>5</sup>.

In the more prevalent, fully professional scenario, fraudsters carefully craft their messages using names (even personal names), symbols, and colour schemes in the graphic layout of their letters to evoke associations with official intellectual property offices, or they directly impersonate such bodies.

A review of the misleading invoices identified so far leads to the conclusion that 80% of the registered business entities involved in the fraudulent “invoice” scheme included terms such as “European”, “Intellectual Property”, and/or “Trademark” in their names, often combined with words like “register”, “agency”, “service”, “office”, or “institute”. Examples of such names include: European Intellectual Property Office, European Office of Intellectual Property, European Patent and Trademark Agency, World Intellectual Property Organization, and Intellectual Property Trademark Organization<sup>6</sup>. Furthermore, non-existent headquarters are being attributed to the senders. Since EU institutions, bodies, offices and agencies are based in different Member States, and the European Commission has representations in individual countries, the administrative structure of the EU is complex. As a result, the “modified designations” mentioned above often do not arouse suspicion on the part of the recipients of such messages.

The logos and symbols typically used in misleading invoices include stars, globes and circular graphic signs. These symbols are naturally associated with unity, alliance and protection, and above all with EU bodies. The predominant logo colours are blue and yellow – identical to those used by the EUIPO and by all institutions of the European Union.

Furthermore, fraudsters exploit the real names of officials of the Office. In the “sender” field, the description “Andrea Di Carlo” has even been used, i.e. the name of the actual Deputy Executive Director of the European Union Intellectual Property Office, who has held this position since 2018.

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<sup>5</sup> EUROPOL, Misleading payment request fraud targeting intellectual property right owners: 2024 situation report (Public report). <https://www.europol.europa.eu/publications-events/publications/misleading-payment-request-fraud-targeting-intellectual-property-right-owners>, p. 12 [access: 14.12.2025].

<sup>6</sup> The current list can be found at the following address: <https://www.euipo.europa.eu/pl/trade-marks/after-applying/misleading-invoices> [access: 14.12.2025].

In general, fraudsters rely on the assumption that recipients will not carry out a full verification and will base their actions – including the execution of bank transfers – on associations alone. A real example is the practice whereby criminals sent emails containing requests for additional payments, presented as a condition for registration in the “TMview office in Warsaw, Poland”. They counted on victims accepting this information as credible, whereas in reality the TMview database is maintained by the EUIPO, whose seat is in Spain and which has no link to Poland<sup>7</sup>.

Fraudsters send letters that resemble invoices but in reality are offers for unsolicited services, including entirely unnecessary ones such as:

- registration in a private register – a service that is inherently redundant, given that the EUIPO, the World Intellectual Property Organization (WIPO), and national offices already publish information on registered IP rights and their owners, which is freely and publicly accessible;
- “trade mark protection” services – again, considering that EUIPO, WIPO and national offices are the competent authorities providing trade mark protection, such a service appears superfluous;

as well as services that are not strictly necessary, such as:

- monitoring services – fraudsters claim they will monitor social media and the internet for potentially infringing signs; however, based on information from ongoing investigations, Europol has established that these services were in fact not provided to right holders;
- renewal services – in most cases, the offer gives the impression that it concerns the renewal of a trade mark before a genuine international or national office, whereas in reality it relates only to “renewal” of an entry in a private register;
- unsolicited legal services – offers of assistance in the process of registering intellectual property rights<sup>8</sup>.

Another distinguishing feature of this misleading invoice scheme is the use of high-pressure tactics to manipulate targets. The payment deadline is usually set for the day immediately following receipt of the email, which reinforces a sense of urgency and encourages impulsive action. Recipients have very limited time to verify the information and therefore often rush to comply with the requested payment.

An analysis of the dates on which the misleading invoices were sent, compared with the dates of filing of applications or the dates of publication of registrations in the official registers of national or international intellectual property offices, showed that fraudsters most frequently contacted their victims between 7 and 14 days after the date of filing or publication. An analysis of the group of applicants who were approached revealed that, in some cases, registration of their trade marks was ultimately refused. Fraudsters also exploit the moment at which users of the IP system are most vulnerable to influence – the opposition period preceding the final registration of the right and its official publication. At that stage, the victim may be inclined to regard the requested payment as

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<sup>7</sup> EUROPOL, Misleading payment request fraud targeting intellectual property right owners: 2024 situation report (Public report). <https://www.europol.europa.eu/publications-events/publications/misleading-payment-request-fraud-targeting-intellectual-property-right-owners>, p. 11. [access: 14.12.2025].

<sup>8</sup> Ibidem, p. 7.

a normal element of the procedure and to pay it, given that the applicant's primary objective at this point is to secure successful registration of their right<sup>9</sup>.

The perpetrators demanded fees ranging from EUR 740 to 780, amounts similar to those charged by the EUIPO. The payment reference are also constructed in a way analogous to the EUIPO model: it consists of a seven- or eight-character combination of digits and capital letters resembling the format used by the EUIPO. Most importantly, these documents contain false bank account numbers, rather than – as is the case for legitimate payments – the two official Spanish bank accounts of the EUIPO. An analysis of the bank accounts indicated by the fraudsters in their emails showed that they mainly used accounts held in banks located in EU Member States (Poland, Slovakia, Germany, the Netherlands, Italy, Spain). It is assessed that the use of EU-based bank accounts further enhanced the credibility of their demands in the eyes of recipients. In the past, however, fraudsters have also succeeded in inducing victims to transfer unjustified payments to bank accounts outside the EU, including in Georgia, Serbia, Türkiye, Egypt, Kazakhstan and even Kenya<sup>10</sup>

The impression of authenticity of the invoices is further reinforced by the use of the “.eu” top-level domain in the sender's address, which is commonly associated with European Union institutions. The fraudsters spoofed the EUIPO's email address, imitating the Office's official address and domain. In doing so, they used techniques such as typosquatting (registering domains with intentionally misspelled versions of well-known website names in order to lure or mislead users) and the so-called “addition” technique – for example, info@euipoS.europaS.eu – which consists of adding extra letters to the domain name to make it resemble one of the EUIPO's official email addresses, such as information@euipo.europa.eu.

The fraudsters also use various domain name variants, combining the element “euipo” with words such as “mail”, “server”, “notifications”, “invoice”, “registry”, and so on. The emails often contain an attachment requiring the recipient to take specific steps, which ultimately enables the perpetrators to achieve their goal of causing financial harm to the victim and securing unlawful financial gain<sup>11</sup>.

Without a doubt, for laypersons and for many small and medium-sized enterprises, misleading invoices are often indistinguishable from genuine official invoices, particularly when the amounts claimed closely correspond to actual official fees. In such circumstances, accounting departments tend to process these documents in a routine, almost automatic manner, guided by a simplified logic: there is an invoice and a due date; therefore, the amount is presumed to be payable.

## Source of Data for Forgers

Data collected by Europol indicate that fraudsters use both the publicly accessible online EUIPO database and the registers of national intellectual property offices as sources of information for identifying potential victims. It should be recalled that, in accordance with Article 111(9) of Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017, all

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<sup>9</sup> Ibidem, p. 14.

<sup>10</sup> Ibidem, p. 15

<sup>11</sup> Ibidem, p. 12.

data, including personal data, relating to applicants and proprietors of registered intellectual property rights are considered to be information in the public interest and may be made available to any third party.

In the case of trademarks, there are legitimate reasons for maintaining such registers and ensuring public access to them, to the benefit of users of the IP protection system. The public availability of registers enables clearance searches before filing an application, allows third parties to file oppositions, request invalidation, or take other legal actions if their rights are infringed. It also enables anyone to verify who owns a particular trade mark, in which territory and for which goods or services it is protected, thereby facilitating both the enforcement of rights and business planning. Unfortunately, at the same time, scammers make extensive use of EUIPO and national office databases as a source of data for identifying the recipients of misleading invoices (i.e. applicants and IP right holders).

As noted above, fraudsters display a high degree of adaptability and closely follow trends. Their activities are facilitated by the process of digitalisation and the development of tools based on artificial intelligence (AI). With the necessary knowledge and skills, data relating to victims are automatically extracted from the publicly accessible EUIPO database and then automatically inserted into emails and fake certificates addressed to specific recipients. Additional email addresses of potential targets are identified by fraudsters using open internet sources. Today, the operation of misleading invoice schemes no longer requires printers, paper, ink, envelopes, stamps or physical visits to a post office or self-service terminal. This further reduces both the cost and time needed on the perpetrators' side, while at the same time enabling them to remain anonymous<sup>12</sup>.

## **Anti-Scam Network**

In addition to the real financial losses suffered by users of the intellectual property system, he described practice also undermines the reputation of, and trust in, intellectual property offices. The EUIPO is of course not passive in the face of this phenomenon, although it is openly acknowledged that the Office's actions can limit, but not completely "eliminate" the problem.

In 2014, the EUIPO launched the creation of the Anti-Scam Network, a network of organisations, national offices and other entities aimed at combating the unfair and deceptive practices described above in a harmonised way. The stakeholders are listed in Annex 1 to the Joint Statement on an Expert Cooperation Charter in the Area of the Anti-Scam Network<sup>13</sup>. Anti-Scam Network members meet regularly to discuss recent developments, successful actions against scammers and the work programme. The most recent meeting took place on 2 October 2025.

The Network has identified six key areas of cooperation. The first is the creation of comprehensive, publicly available repositories of examples of malicious practices and the entities involved in such practices. These registers are to be made accessible through the website of each organisation subscribing to the Joint Statement and kept as visible as possible. Their contents may, where

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<sup>12</sup> Ibidem, p. 16,22.

<sup>13</sup> Anti-Scam Network, Joint statement on an expert cooperation charter in the area of the Anti-Scam Network, <https://ecta.org/en/events-activities-anti-scam-activities/> [access: 14.12.2025].

necessary, be transmitted to the competent enforcement authorities or investigative agencies. It has been agreed that participating entities will share all relevant information they receive, directly or through their users, so as to ensure that the registers are updated regularly. A searchable list of firms or “registers” that have issued misleading invoices is also available on the EUIPO website, together with copies of those invoices. As of 14 November 2025, it contained 521 entries<sup>14</sup>. Secondly, cooperation by sharing information and best practices on the development and maintenance of registers, successful enforcement measures used to combat fraud in different jurisdictions, awareness campaigns, and other relevant know-how was deemed crucial. Thirdly, mutual assistance with a view to legal actions was also considered necessary. This includes exploring ways of providing advice and assistance to one another and, whenever possible, facilitating legal actions brought by another organisation or user in their respective territories. This may involve, inter alia, obtaining affidavits from affected users or providing relevant information. It also covers the initiation of legal actions in different territories by one or more organisations, whenever possible and depending on their respective budgetary limits, rules, and degree of involvement in a given case. Fourthly, the submission of draft legislative proposals was recognised as important. Cooperation, where necessary, to identify, examine, and develop appropriate legislative proposals on legal remedies specifically designed to address scam practices, with a view to transmitting them to the authorities competent to initiate legislative processes at national or EU level. Fifthly, defining common warnings and actions was agreed upon. Cooperation, where necessary, to define common warnings for use on websites and in publications, as well as harmonised templates and other communication tools. Finally, the aim of the Anti-Scam Network is the coordination of IT security measures and dissemination policies. This involves coordinating IT security measures and policies governing the dissemination of information, in order to better protect users and reduce the opportunities for scammers to exploit systemic weaknesses.

EUIPO actively cooperates with the Anti-Scam Network, in particular with Europol. These bodies collect and analyse data, identify new trends and support the investigation and enforcement of claims<sup>15</sup>. The main objective is to detect and counter organised international fraud and to raise awareness among applicants and right holders. To this end, a dedicated website is maintained<sup>16</sup>, information campaigns are carried out on patent office websites<sup>17</sup> and training sessions are organised<sup>18</sup>. EUIPO has financed the development of the “Procedure Manual on

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<sup>14</sup> <https://www.euipo.europa.eu/pl/trade-marks/after-applying/misleading-invoices> [access: 14.12.2025].

<sup>15</sup> Since 2021, Europol and EUIPO have been publishing reports on misleading invoices.

<sup>16</sup> EUIPO’s dedicated webpage on misleading invoices, <https://www.euipo.europa.eu/pl/trade-marks/after-applying/misleading-invoices> [access: 14.12.2025].

<sup>17</sup> Official patent office websites: UPRP, [https://uprp.gov.pl/pl/uwazaj-na-falszywe-decyzje-swiadectwa-ochronne-upomnienia?utm\\_source=chatgpt.com](https://uprp.gov.pl/pl/uwazaj-na-falszywe-decyzje-swiadectwa-ochronne-upomnienia?utm_source=chatgpt.com); DPMA, [https://www.dpma.de/english/services/fees/warning\\_against\\_misleading\\_requests/index.html](https://www.dpma.de/english/services/fees/warning_against_misleading_requests/index.html); UIBM, [https://uibm.mise.gov.it/index.php/en/202-news-english/2036275-warning-misleading-invoices?utm\\_source=chatgpt.com](https://uibm.mise.gov.it/index.php/en/202-news-english/2036275-warning-misleading-invoices?utm_source=chatgpt.com); EUIPO, Leaflet on misleading payment requests, <https://www.euipo.europa.eu/en/trade-marks/after-applying/misleading-invoices>, accessible in 23 EU languages [access: 14.12.2025].

<sup>18</sup> EUIPO, EUROPOL, Beware of misleading invoices: Act smart against scammers! [Webinar]. EUIPO Academy Learning Portal, <https://euipo.europa.eu/knowledge/course/view.php?id=4719> [access: 14.12.2025].



## Handling Misleading Payment Requests for Intellectual Property System Users”<sup>19</sup>.

The Office also supports its users. In its communications, including the acknowledgement of receipt of an application, the EUIPO stresses that it never sends invoices by email or by post – all fees must be paid via its secure online payment portal, advises that, when receiving any letter or “invoice”, applicants should examine it carefully and verify the names of the sender and recipient as well as the bank account details. The beneficiary of the transfer must be the European Union Intellectual Property Office. It is important to note that, following the adoption of the EU regulation on instant payments and payee verification, payers can easily check the beneficiary’s name with their bank for both standard and instant SEPA transfers. The name linked to the beneficiary’s IBAN must match the name of the payee<sup>20</sup>.

The EUIPO recommends using the electronic application form for EUTMs and registering in the “User Area” available on its website, in order to ensure a secure communication channel with the Office and to conduct all correspondence through those channels. This helps users assess the reliability of various messages and documents they may receive, whether from third parties or from the EUIPO itself, during the filing and registration process for an EUTM.

## Conclusions

For more than a decade, the problem described has seemed almost “unsolvable”, preventive measures and enforcement actions struggle to keep up with the speed at which perpetrators adapt. As shown, fraudulent activity continues to rise – scammers constantly modify their schemes (new email templates, new “offices”, new forms of pseudo-services such as “publication registers”, “monitoring” or “protection”). They are increasingly successful at impersonating official bodies, using email spoofing, phishing, fake certificates, and logos and names that are deceptively similar to official ones.

The fraudsters often operate from different countries (both within and outside the EU), set up shell companies and rapidly change names, domains and bank accounts. Prosecution therefore requires cooperation between multiple countries and institutions, which is time-consuming and costly. Even if one particular network of fraudsters is dismantled, new ones quickly emerge, learning from their predecessors’ mistakes.

At the same time, every year new applicants file trade marks for the first time and are unfamiliar with typical scam patterns. It can be assumed that, despite the warnings published on the EUIPO website, many applicants never read them because they access the site only once in order to “submit the application”. For this reason, awareness-raising on misleading invoices remains crucial. Information about the registration procedure and the renewal of rights should be provided on an ongoing basis by IP offices and intellectual property representatives.

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<sup>19</sup> EUROPOL, EUIPO, Procedure manual on handling misleading payment requests for intellectual property system users: Act smart against scammers! (Public report), [https://www.europol.europa.eu/cms/sites/default/files/documents/Procedure\\_manual\\_EUIPO\\_2022.pdf](https://www.europol.europa.eu/cms/sites/default/files/documents/Procedure_manual_EUIPO_2022.pdf) [access: 14.12.2025].

<sup>20</sup> EUIPO, Misleading invoices, <https://www.euipo.europa.eu/pl/trade-marks/after-applying/misleading-invoices> [access: 14.12.2025].

The scheme is characterised by high profitability and low risk. The average “fees” range from several hundred to several thousand euros, while the costs on the perpetrators’ side remain very low (mass mailing of letters/emails, ready-made templates, free access to data on potential victims). Real investigations and court judgments do occur, but they are still the exception rather than the rule - two cases constitute an important precedent. In September 2024, the Munich Regional Court in Germany found three defendants guilty of commercial gang fraud for sending misleading invoices to EUIPO customers. Each was sentenced to one year and ten months’ imprisonment, suspended with a three-year probation period, and the court ordered the confiscation of approximately EUR 200,000 – the unlawfully obtained proceeds – to be used for compensation<sup>21</sup>. Earlier, on 20 December 2017, the Svea Court of Appeal in Stockholm convicted the main defendant of attempted and completed gross fraud in 355 cases and imposed a prison sentence of four years and eight months. The second key defendant received two years and nine months’ imprisonment for complicity and for 33 additional counts of gross fraud, while several other individuals involved in the fraudulent invoicing scheme were also convicted, two of whom likewise received custodial sentences<sup>22</sup>.

In the long term, close cooperation between IP offices, professional representatives, law enforcement authorities, and business organizations will be crucial to maintaining the balance between register transparency and the security of right holders. It is hoped that the broader the dissemination of information on fraudulent practices (through websites, decisions, filing confirmations, webinars), the more difficult it will become for fraudsters to make their “misleading invoices” seem credible.

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<sup>21</sup> EUIPO, Misleading EUIPO invoices: German criminal court finds three defendants guilty of fraud, <https://www.euipo.europa.eu/en/news/misleading-euipo-invoices-german-criminal-court-finds-three-defendants-guilty-of-fraud> [access: 14.12.2025].

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