



Amanda Marston

Associate
303.473.2712
Boulder
anmarston@hollandhart.com



Hope Hamilton

Partner
303.473.4822
Denver, Boulder
hihamilton@hollandhart.com

Bolstering Confidence or Burdening Parties? The U.S. Counsel Rule

Insight — 12/01/2020

Landslide®

Through a series of initiatives and rule changes, the U.S. Patent and Trademark Office (USPTO) has been on a mission to fight fraud and bolster confidence in U.S. trademark registration and administrative proceedings. But, where the USPTO is closing doors, are bad actors finding windows?

One of the USPTO's more recent initiatives—namely, the implementation of the U.S. counsel requirement—went into effect on August 3, 2019. This article explores whether the USPTO's goals in implementing the rule have been met and whether parties are finding new, creative ways to circumvent the rule. Although the data is still limited, it is arguably a little of both. When paired with the USPTO's other initiatives and new policies, it seems the USPTO is making meaningful progress in boosting confidence within the business community and its users.

Please click [here](#) to download the full article: Bolstering Confidence or Burdening Parties? The U.S. Counsel Rule.

Amanda Marston is an associate at Holland & Hart LLP in Boulder, Colorado. She specializes in providing comprehensive counseling, strategic advice, enforcement, and litigation support to clients with trademark and copyright needs.

Hope Hamilton is a partner at Holland & Hart LLP in Boulder, Colorado. She specializes in contentious trademark and copyright matters.

©2020. This article was originally published in *Landslide*, Vol. 13, No. 2, November/December 2020, by the American Bar Association. Reproduced with permission. All rights reserved. This information or any portion thereof may not be copied or disseminated in any form or by any means or stored in an electronic database or retrieval system without the express written consent of the American Bar Association or the copyright holder.

This publication is designed to provide general information on pertinent legal topics. The statements made are provided for educational purposes only. They do not constitute legal or financial advice nor do they

necessarily reflect the views of Holland & Hart LLP or any of its attorneys other than the author(s). This publication is not intended to create an attorney-client relationship between you and Holland & Hart LLP. Substantive changes in the law subsequent to the date of this publication might affect the analysis or commentary. Similarly, the analysis may differ depending on the jurisdiction or circumstances. If you have specific questions as to the application of the law to your activities, you should seek the advice of your legal counsel.