



U.S. State Anticounterfeiting Contact Information

3/3/2016

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Introduction

This project was the result of extensive collaboration between INTA's Anticounterfeiting Committee—U.S. Subcommittee, Enforcement Task Force and U.S. state and territory officials. The report provides contact information for resources relating to anticounterfeiting and trademark registration; it is hoped that this listing of sources will help users quickly identify each state's registration and enforcement procedures.

Each state's information, as of March 1, 2016, is provided in similar format, listing:

- the link to the state's Trademark Registration tool or information or who to contact if no tool is available
- the contact information for representative state or city law enforcement
- state criminal counterfeit statute(s)
- nature of crime/punishment

This resource was created to provide trademark attorneys, government officials and all other persons involved in anticounterfeiting efforts in the United States with a listing of each state's laws and contact information for agencies dealing with specific types of anticounterfeiting crime.

INTA kindly thanks all those members who contributed to the project.

Alabama

Link to Trademark Registration Search Tool

<http://www.sos.alabama.gov/vb/inquiry/inquiry.aspx?area=Trademarks>

Contact Info for Representative State or City Law Enforcement

Alabama Department of Public Safety, Bureau of Investigation
(334) 353-1100

<http://www.dps.alabama.gov/Home/wfContactInformation.aspx?ID=20>

Alabama Attorney General's Office
Attn: Investigations
901 Washington Avenue
Montgomery, AL 36130
(334) 242-7345

State Criminal Counterfeiting Statute(s)

Ala. Code § 13A-8-10.4 (Theft of Trademarks or Trade Secrets).

Nature of Crime/Punishment

Class C felony.

Alaska

Contact Info (No Trademark Registration Search Tool Available)

No online search tool available. Either call the Department of Commerce Corporations Department at (907) 269-8160, or email corporations@alaska.gov.

Contact Info for Representative State or City Law Enforcement

To report crime:

Alaska State Troopers

(907) 269-5511

<http://www.dps.state.ak.us/>

State Criminal Counterfeiting Statute(s)

No specific criminal counterfeiting statute, but Alaska Stat. § 11.46.710, which addresses deceptive business practices, may apply.

Nature of Crime/Punishment

No specific classification.



Link to Trademark Registration Search Tool

http://www.azsos.gov/scripts/TNT_Search_engine.dll

Contact Info for Representative State or City Law Enforcement

Arizona Department of Public Safety
Major Crimes District, General investigations Unit
Sgt. Tony Mapp
(602) 223-2659
tmapp@azdps.gov
<http://www.azdps.gov/>.

State Criminal Counterfeiting Statute(s)

- A. Ariz. Rev. Stat. § 44-1453 (Counterfeit marks; violation; classification; presumption; seizure; forfeiture; remedies; definitions).
- B. Ariz. Rev. Stat. § 44-1455 (Use of unauthorized copy of computer software; violation; classification).
- C. Ariz. Rev. Stat. § 44-1456 (Use of trademarked container for other articles; violation; classification).

Nature of Crime/Punishment

- A. Misdemeanor (Class 1) or felony (Class 5 or 6), depending on value of goods, prior convictions, etc.
- B. Class 5 felony.
- C. Class 2 misdemeanor.



Link to Trademark Registration Search Tool

<http://www.sos.arkansas.gov/corps/trademk/index.php>

Contact Info for Representative State or City Law Enforcement

Criminal allegations may be referred to:
Arkansas State Police, Criminal Investigations Division
Administrative HQ
Little Rock, AR
(501) 618-8850

On the consumer protection (non-criminal) side, contact:
Consumer Protection Division of the Arkansas Attorney General's Office
Lead Attorney, Jim DePriest
(501) 682-5028

State Criminal Counterfeiting Statute(s)

No specific criminal counterfeiting statute, but criminal remedies may be available under the Deceptive Trade Practices Act (Ark. Code Ann. §§ 4-88-101, et seq.).

The conduct may also be covered by Ark. Code Ann. § 20-64-306(9) (barring sale or possession of tools for creating counterfeit label/stamps for drugs), Ark. Code Ann. § 5-37-515 (false, fraudulent, misleading advertising), Ark. Code Ann. § 23-50-103 (misleading actions or use of words by unauthorized persons), or laws barring possession, manufacture, sale, or advertisement of counterfeit substances (Ark. Code Ann. §§ 5-64-441, 442, 445).

Nature of Crime/Punishment

No specific classification.

California



Contact Info (No Trademark Registration Search Tool Available)

The Secretary of State's office maintains registration and all updates of California state trademarks and service marks.

This information is accessible to the public in person, by telephone or upon written request, but it is not available online.

Office Hours are Monday–Friday, 8:00 a.m. to 5:00 p.m. (excluding state holidays).

Office address:
1500 11th Street, 2nd Floor
Sacramento, CA 95814

Mailing address:
Trademarks and Service Marks
P.O. Box 942877
Sacramento, CA 94277-0001

Contact Info for Representative State or City Law Enforcement

Robert Morgester, Senior Assistant Attorney General, E-Crime Unit

Make an inquiry on the public inquiry page (State of California Department of Justice Office of the Attorney General): <http://oag.ca.gov/contact/consumer-complaint-against-business-or-company>.

Also, contact LA Crime Stoppers Anti-Counterfeit Initiative:
<http://lacrimestoppers.com/custom.aspx?p=3>
(800) 222-8477

Riverside County District Attorney's Office Consumer Fraud Program
Michael Quesnel-Lead Attorney
(951) 955-5479

Department of Consumer Affairs
(800) 344-9940

Some crimes involving consumer fraud, environmental crimes, or those involving misconduct of public officials may be reported to the District Attorney's Special Prosecution Section at (951) 955-5491.

LA County Sheriff's Department Counterfeit and Piracy Enforcement Team

Supervisor Janice Munson
(323) 981-5320

Munson@lasd.org

Detective Thomas Ferguson
Lieutenant John Voza
Community Oriented Policing Services (COPS) Bureau

Los Angeles County Sheriff's Department

www.COPS.lasd.org

(323) 981-5300

(323) 371-7096

San Francisco Assistant District Attorney Conrad Del Rosario has had experience in dealing with IP theft and can be reached at (415) 551-9571.

San Francisco Consumer Protection Unit

(415) 551-9595.

Sacramento Valley Hi-Tech Crimes Task Force (deals specifically with IP theft)

(916) 874-3002

<http://www.sachitechcops.org/index.html>

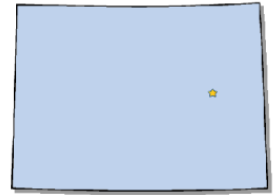
State Criminal Counterfeiting Statute(s)

Cal. Penal Code § 350 (Counterfeit of registered mark).

Nature of Crime/Punishment

Punishable by fine or imprisonment. Size of punishment depends on number and value of articles.

Colorado



Link to Trademark Registration Search Tool

<https://www.sos.state.co.us/biz/AdvancedSearchCriteria.do>

Contact Info for Representative State or City Law Enforcement

Crimes are not handled at the state level in Colorado. One is advised to contact local police in the area in which the crime occurred. The Office of the Attorney General has the authority to intervene in cases where consumers are deceived as to the standard, quality or grade of a product. If you believe you have been defrauded through the sale of counterfeit or pirated products, you can file a complaint via www.coloradoattorneygeneral.gov/complaint.

Ralph L. Carr
Colorado Judicial Center
1300 Broadway, 10th Floor
Denver, Colorado 80203
P: 720-508-6000
F: 720-508-6030
Attorney.General@state.co.us
Consumer Line: (800) 222-4444

State Criminal Counterfeiting Statute(s)

Colo. Rev. Stat. § 18-5-110.5 (Trademark counterfeiting)

Nature of Crime/Punishment

- A. Class 1 or 2 misdemeanor (depending on prior conviction(s), number of goods, and value of goods).
- B. Level 3 drug felony.

Connecticut



Trademark Registration List (No Trademark Registration Search Tool)

There is no trademark registration search feature, but a list of all registered marks is available at <http://www.ct.gov/dob/cwp/view.asp?a=2230&q=297790#tm>.

Contact Info for Representative State or City Law Enforcement

Department of Emergency Services and Public Protection

<http://www.ct.gov/despp/site/default.asp>

24/7 General Crime Reporting Numbers: (860) 685-8190 or (800) 842-0200 (in-state only)

Department of Consumer Protection

165 Capitol Avenue

Hartford, Connecticut 06106-1630

Main Telephone: (860) 713-6100

Consumer Info / Complaints: (860) 713-6300

Toll-free: (800) 842-2649

TDD: (860) 713-7240

Fax: (860) 713-7239

Email complaints to: dcp.frauds@ct.gov

Or contact:

City of Hartford PD, Major Crimes Division

Detective Jaeger Thomas

(860) 757-4202

State Criminal Counterfeiting Statute(s)

Conn. Gen. Stat. § 53-347a (Prohibited acts relative to stamps, labels, trademarks, service marks, collective marks and certification marks).

Nature of Crime/Punishment

Class D felony punishable by fine or imprisonment.



Delaware

Contact Info (No Trademark Registration Search Tool Available)

One cannot currently search trademark records online, and that function will not be available until the planned new computer system is in place. In the meantime, contact the Delaware Department of State, Division of Corporations at (302) 739-3073 and inform them that you need to search for a trademark.

Contact Info for Representative State or City Law Enforcement

The Delaware State Police has three troops that cover the three counties of Delaware. Call Delaware State Police, Criminal Investigative Unit, Troop 2 at (302) 834-2630. Enter "0" for operator, and you will be connected to the appropriate troop/unit based on the location of the alleged crime.

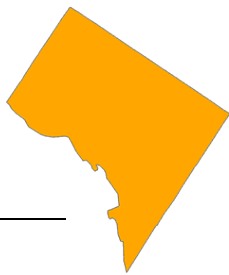
State Criminal Counterfeiting Statute(s)

Del. Code Ann. tit. 11 § 926 (Trademark counterfeiting)

- A. Injunctions, seizure, destruction of goods, etc. are available under Del. Code Ann. tit. 6 § 3314 (Remedies, including injunctions against forged or counterfeited trademarks, service marks, or copyrighted or registered designs).
- B. Del. Code Ann. tit. 11 § 906 (Deceptive business practices).

Nature of Crime/Punishment

- A. Misdemeanor is default but may be a Class G or Class E felony (depending on any prior convictions, value of goods/services, and number of goods/services).
- B. Class A misdemeanor.



District of Columbia (D.C.)

Contact Info

There is no D.C. trademark registration; federal registration only.

One can search federal registrations on the United States Patent and Trademark Office (USPTO) site: <http://www.uspto.gov/trademarks/index.jsp>

Contact Info for Representative State or City Law Enforcement

Metropolitan Police Department, Financial Crimes Unit (one can report to contact below or to local police unit)
(202) 727-4159
<http://mpdc.dc.gov/>

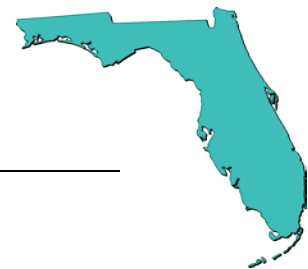
D.C. also has online crime reporting:
<https://secure.coplogic.com/dors/en/filing/selectincidenttype?dynparam=1370351407543>

State Criminal Counterfeiting Statute(s)

D.C. Code § 22-902 (Trademark counterfeiting).

Nature of Crime/Punishment

D.C. Code § 22-1502 (Forging or imitating brands or packaging of goods).



Florida

Link to Trademark Registration Search Tool

<http://www.sunbiz.org/search.html>

Contact Info for Representative State or City Law Enforcement

Florida Department of Law Enforcement

Karen Weaver, Economic Crimes Unit

(850) 410-7000

www.fdle.state.fl.us

City of Orlando Police Department

Criminal Investigations, Economic Crimes Unit

Sergeant Amy Ameye

(407) 246-2978

Miami Shores Village Police Department

Lieutenant Young

(305) 759-2468

<http://www.miamishoresvillage.com/village-department/police?sid=7:Police>

(Home of Project FIERCE: Forensic Intellectual property Evidence Recovery & Community Education)

State Criminal Counterfeiting Statute(s)

Fla. Stat. §§ 831.03 (Forging or counterfeiting private labels; definitions).

Fla. Stat. § 831.031 (Evidence).

Fla. Stat. § 831.032 (Offenses involving forging or counterfeiting private labels).

Fla. Stat. § 831.033 (Forging or counterfeiting private labels; destruction; forfeiture).

Fla. Stat. § 831.034 (Prosecutions).

Nature of Crime/Punishment

First degree misdemeanor or first, second or third degree felony, depending on nature of violation, number of goods, value of goods and prior convictions. The statute Provides for imprisonment, fine and restitution

Georgia



Link to Trademark Registration Search Tool

http://sos.ga.gov/index.php/corporations/search_the_trademarks_and_service_mark_database

Contact Info for Representative State or City Law Enforcement

Captain James P. Callaway

Commander, Administrative Services Division

City of Morrow Police Department

Office: (770) 961-4006

Email: jcallaway@cityofmorrow.com

Georgia Office of Consumer Affairs

2 Martin Luther King Jr. Drive, Suite 356

Atlanta, Georgia 30334-9077

(404) 651-8600 or (800) 869-1123 (toll-free in Georgia, outside of the metro Atlanta calling area)

Fax: (404) 651-9018

Office hours: 8:00 a.m.–5:00 p.m., Monday–Friday

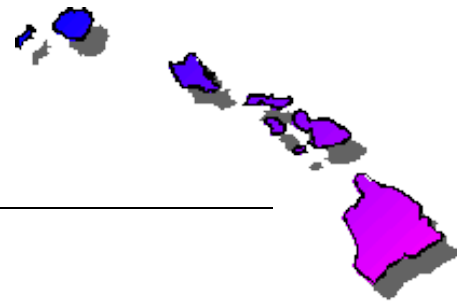
Telephone counselors are available between 8:30 a.m.–5:00 p.m. weekdays

State Criminal Counterfeiting Statute(s)

Ga. Code Ann. § 10-1-454 (Forging or counterfeiting of, or use of forged or counterfeited, trademarks, service marks, or copyrighted or registered designs; penalties)

Nature of Crime/Punishment

Misdemeanor or felony, depending on value of goods and prior conviction(s). Authorizes imprisonment, fine and/or forfeiture.



Hawaii

Link to Trademark Registration Search Tool

Search online at

http://hbe.ehawaii.gov/documents/search.html?mobile=N&site_preference=normal (must change search option from "Begins with" to "contains") or call (808) 586-2727.

Contact Info for Representative State or City Law Enforcement

Contact the police station of the island on which the crime occurred. Each island has its own police force: Honolulu (808) 529-3911; Maui (808) 244-6400; Kawai (808) 241-1711; Molokai (808) 553-5355; Hawaii (808) 935-3311.

<http://hawaii.gov/ag/hitec/main/contact/>

Hawaii Internet & Technology Crimes Unit
Department of the Attorney General
Criminal Justice Division
235 South Beretania Street
16th Floor
Honolulu, Hawaii 96813
Phone: (808) 587-4111
Fax: (808) 587-4118
Email: HITEC@hawaii.gov

State Criminal Counterfeiting Statute(s)

- A. Haw. Rev. Stat. § 708-875 (Trademark counterfeiting).
- B. Counterfeiting related conduct may also be covered by Haw. Rev. Stat. §§ 708-850–708-855 (Forgery and related offenses).

Nature of Crime/Punishment

- A. Class C felony.



Idaho

Link to Trademark Registration Search Tool

<http://www.accessidaho.org/public/sos/trademark/search.html>

Contact Info for Representative State or City Law Enforcement

Idaho State Police, Investigations Division

<http://www.isp.idaho.gov/>

(208) 209-8670

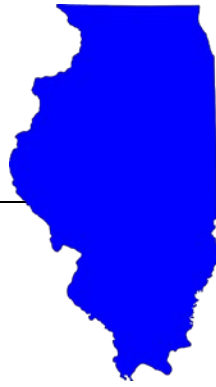
State Criminal Counterfeiting Statute(s)

Idaho Code Ann. § 18-3614 (Forging or counterfeiting trade-marks)

Nature of Crime/Punishment

Misdemeanor.

Illinois



Link to Trademark Registration Search Tool

<http://www.ilsos.gov/trademarksearch/>

Contact Info for Representative State or City Law Enforcement

IP crimes are handled only on the State's Attorneys level (102 counties, 102 State's Attorneys). The county most involved in IP enforcement, and the one that recently received federal funding for IP work, is Cook County.

Cook County Sheriff's Police

http://www.cookcountysheriff.org/sheriffs_police/ccspd_main.html

Jack Steed, Director of Financial Crimes Unit (708) 865-5533, or
Commander Mike Anton, Special Operations Unit (708) 865-4720 (they work together).
Commander Anton says that they work with the Federal government and are equipped to handle IP cases all across the state.

State Criminal Counterfeiting Statute(s)

Counterfeit Trademark Act (765 Ill. Comp. Stat. Ann. §§ 1040/1–1040/9).

Nature of Crime/Punishment

Default is Class A misdemeanor punishable by fine up to \$1,000. But per 765 Ill. Comp. Stat. Ann. § 1040/8 (Sentence), it may become a Class 4, 2 or 1 felony (depending on prior convictions, harm to others, and number and/or value of the goods or services). Potential fines and imprisonment increase with the severity of the felony.

Seizure is available under 765 Ill. Comp. Stat. Ann. § 1040/9.

Indiana



Link to Trademark Registration Search Tool

<http://www.in.gov/apps/sos/trademarks/>

Contact Info for Representative State or City Law Enforcement

Indiana State Police
Computer Crimes Division
<http://www.in.gov/isp/>
<http://www.in.gov/isp/2461.htm>
(317) 890-5320

State Criminal Counterfeiting Statute(s)

No specific criminal counterfeiting statute as it infringement is primarily a civil matter. See, e.g., Ind. Code. § 24-2-1-13. However, criminal penalties may be available under a variety of statutes. See, e.g., Ind. Code § 35-43-5-3 (Deception).

Nature of Crime/Punishment

None.



Link to Trademark Registration Search Tool

[http://sos.iowa.gov/search/business/\(S\(xbwsc055o4kv4a45kjnexsmj\)\)/search.aspx](http://sos.iowa.gov/search/business/(S(xbwsc055o4kv4a45kjnexsmj))/search.aspx)

Contact Info for Representative State or City Law Enforcement

Iowa State Patrol

<http://www.dps.state.ia.us/ISP/>

Division of Criminal Investigation

(515) 725-6010 (includes Cyber Crime Unit and Financial Crime Unit, both of which handle IP crimes).

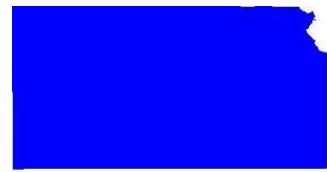
<http://www.dps.state.ia.us/DCI/DCIContacts.shtml> (contacts for specific counties)

State Criminal Counterfeiting Statute(s)

- A. Iowa Code §§ 714.8(2), (8) (Fraudulent practices defined).
- B. Iowa Code § 714.16 (Consumer frauds).
- C. Iowa Code § 714.26 (Intellectual property counterfeiting).

Nature of Crime/Punishment

Class C or D felony, depending on prior convictions, number of items, and value of items.



Link to Trademark Registration Search Tool

http://www.kssos.org/business/trademark/trademark_search.aspx

Contact Info for Representative State or City Law Enforcement

Kansas Attorney General,
Consumer Protection Division
Jim Welch, Deputy Attorney General of Consumer Protection
(785) 296-3751
jim.welch@ag.ks.gov
<http://ag.ks.gov/consumer-protection>

State Criminal Counterfeiting Statute(s)

Kan. Stat. Ann. § 21-5825 (Counterfeiting).

Nature of Crime/Punishment

Class A misdemeanor or felony (severity level 7 or 9, nonperson felony), depending on value and number of counterfeited goods and prior convictions.

Kentucky



Link to Trademark Registration Search Tool

<http://apps.sos.ky.gov/business/trademarks/>

Contact Info for Representative State or City Law Enforcement

Kentucky State Police, Electronic Crime Branch

Lieutenant Chris Crockett

(502) 782-9769

<http://www.kentuckystatepolice.org/>

State Criminal Counterfeiting Statute(s)

Ky. Rev. Stat. Ann. § 365.241 (Counterfeiting intellectual property—penalties—disposition of property).

Nature of Crime/Punishment

Class A misdemeanor or Class D felony, depending on the number and value of goods. Expressly provides for alternative fine calculations.

Louisiana



Link to Trademark Registration Search Tool

<http://www.sos.la.gov/BusinessServices/SearchForLouisianaBusinessFilings/Pages/default.aspx>

Contact Info for Representative State or City Law Enforcement

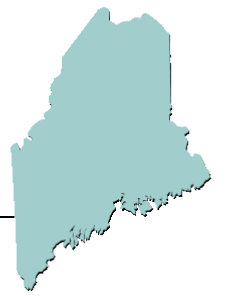
Advised to contact local police in the area where the crime occurred. Louisiana also has online crime reporting at <http://dpsweb.dps.louisiana.gov/suspicious.nsf/WebForm?OpenForm>.

State Criminal Counterfeiting Statute(s)

La. Rev. Stat. Ann. § 14:229 (Illegal use of counterfeit trademark; penalties).

Nature of Crime/Punishment

Punishable by fine of less than \$10,000 (or three times the value gained or loss caused) or imprisonment fewer than 5 years.



Maine

Link to Trademark Registration Search Tool

<http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>

Contact Info for Representative State or City Law Enforcement

Maine Attorney General's office—Criminal Investigations
(207) 626-8800
<http://www.maine.gov/ag/index.shtml>

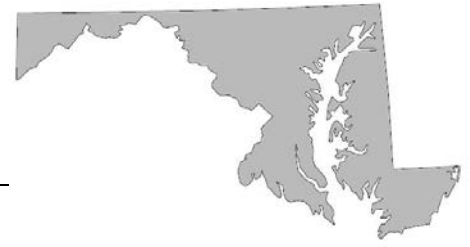
U.S. Attorney's Office in Portland, ME, may also be able to point you to the correct investigative unit (per Maine State Police HQ). Call (207) 780-3257.

State Criminal Counterfeiting Statute(s)

No direct counterfeiting statute, but criminal penalties available through Me. Rev. Stat. tit. 32, § 4699(3) (use of trademark).

Nature of Crime/Punishment

Per Me. Rev. Stat. tit. 32, § 4700(2), trademark infringement is a Class D crime (misdemeanor, although Maine does not use that terminology).



Maryland

Link to Trademark Registration Search Tool

<http://www.sos.state.md.us/Trademarks/TMSearch.aspx>

Contact Info for Representative State or City Law Enforcement

Maryland State Police, Criminal Investigation Division (CID)

(410) 953-8200. Press 0, and ask secretary for unit that handles trademark counterfeiting investigations.

Baltimore County Police Department handles IP and Counterfeiting crimes in their Financial and Cybercrimes Team, Organized Retail Theft

Contact: Sergeant Keeney at 410-887-2190

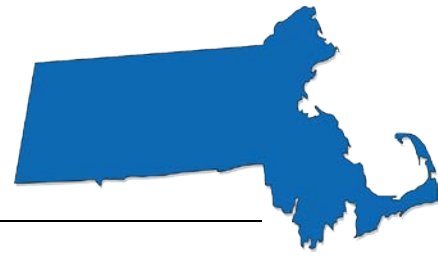
<http://www.balitmoredcountymd.gov/>

State Criminal Counterfeiting Statute(s)

Md. Code Ann., Crim. Law § 8-611 (Trademark Counterfeiting).

Nature of Crime/Punishment

Felony if value of goods or services is greater than \$1,000; misdemeanor if value is less than \$1,000. Punishable by imprisonment, fine and/or return of products.



Massachusetts

Link to Trademark Registration Search Tool

<http://corp.sec.state.ma.us/corp/Trademarks/TrademarkSearch.asp>

Contact Info for Representative State or City Law Enforcement

Massachusetts Attorney General

Main number (617) 727-2200—ask for the Criminal Duty Officer (officer changes each day)

Massachusetts State Police (Executive Office of Public Safety) will also take calls at (508) 820-2300 and then direct the issue to the particular county police department that handles IP crimes.

State Criminal Counterfeiting Statute(s)

- A. Mass. Gen. Laws Ann. ch. 266, § 147 (Counterfeit Marks—Manufacture, Use or Display).
- B. Mass. Gen. Laws ch. 266, § 69A (Fraudulent Display of Seal, Trademark, or Insignia of Labor Organization; Penalty).

Nature of Crime/Punishment

- A. Misdemeanor or felony and term of imprisonment (in house of correction or state prison) determined by number and value of goods.
- B. Punishable by fine of less than \$1,000.



Michigan

Contact Info (No Trademark Registration Search Tool Available)

No search feature but list of all registered marks available at <http://www.dleg.state.mi.us/dms/results.asp?docowner=BCSC&docat=Mark&Search=Search>. If you have a specific word or phrase for which you would like to search, call Department of Licensing and Regulatory Affairs, Corporations Division at (517) 241-6470.

Contact Info for Representative State or City Law Enforcement

Michigan State Police

(517) 332-2521

They will refer you to the appropriate post based on the location of the alleged crime.

Michigan State University also has a program called A-CAPPP for Anti-Counterfeiting and Product Protection Program, which has provided training to Michigan law enforcement on the issue of counterfeiting: <http://a-cappp.msu.edu/>; (517) 432-2204.

The Michigan Intelligence Operations Center for Homeland Security (MIOC) is open 24/7 to receive calls regarding counterfeiting: <https://www.michigan.gov/mioc>; (877) 616-4677.

Suspicious activity can also be reported to law enforcement by calling 1-855-MICHTIP (642-4847) or by visiting www.michtip.state.mi.us.

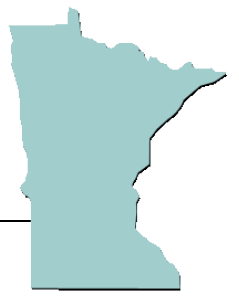
State Criminal Counterfeiting Statute(s)

- A. Mich. Comp. Laws Ann. § 750.263 (Counterfeiting identifying mark).
- B. Mich. Comp. Laws Ann. § 750.264 (Possession of counterfeit mark, device or material to create counterfeit mark, or identifying mark to create counterfeit mark).
- C. Mich. Comp. Laws Ann. § 750.265a (Union label; counterfeiting, imitation, unauthorized use).
- D. Mich. Comp. Laws Ann. § 333.7407(e) (Making, distributing or possessing material to reproduce trademark on a drug, container, or label).

Nature of Crime/Punishment

- A. Misdemeanor (punishable by less than 1 year and/or fine of less than \$1,000 or 3 times value of violation) or felony (punishable by up to 5 years' imprisonment and fine of \$50,000) based on prior convictions, number of goods, and value of violation.
- B. Misdemeanor (punishable by up to 1 year in prison and a fine of \$1,000).
- C. Misdemeanor.
- D. Felony (punishable by up to 4 years in prison and fine of \$30,000).

Minnesota



Link to Trademark Registration Search Tool

<http://mblsportal.sos.state.mn.us/>

Minnesota Secretary of State indicated that trademark registrations may be searched through normal business records search.

Contact Info for Representative State or City Law Enforcement

Criminal matters are not handled at a state level, but by the county attorneys. To report counterfeiting, contact the county attorney in the county the crime occurred.

State Criminal Counterfeiting Statute(s)

- A. Minn. Stat. Ann. § 609.895 (Counterfeited intellectual property; penalties).
- B. Minn. Stat. Ann. § 333.42 (Counterfeiting or dealing in counterfeits; how punished).

Nature of Crime/Punishment

- A. Punishable by up to 5 years in prison and fine of up to \$100,000, depending on number or value of goods.
- B. Punishable by up to 3 months in county jail and fine not more than \$100.

Mississippi



Link to Trademark Registration Search Tool

http://www.sos.ms.gov/business_services/trademarks2.aspx

Contact Info for Representative State or City Law Enforcement

Intellectual Property Task Force:

Mississippi Intellectual Property Crime Center, under Mississippi State Attorney General Jim Hood

<http://mipcc.ago.state.ms.us/>

Email: MIPCC@ago.state.ms.us

Call to report counterfeiting: 800-281-4418 or 601-359-4230.

(The AGO has recruited over 100 members to its Intellectual Property Task Force, including law enforcement officers from state, local and federal agencies, local police and sheriff departments, as well as FBI, ICE and Food and Drug Administration agents).

Mississippi Attorney General's Office

P.O. Box 220

Jackson, MS 39205

MS Attorney General's Office

Walter Sillers Building

550 High Street, Suite 1200

Jackson, MS 39201

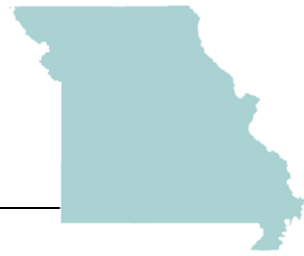
(601) 359-3680

State Criminal Counterfeiting Statute(s)

- A. Miss. Code Ann. § 97-21-53 (Trade-marks and labels; penalties for offenses; forfeitures).
- B. Miss. Code Ann. § 97-21-55 (Implements to forge trade-marks or labels; forfeitures).
- C. Miss. Code Ann. § 97-21-57 (Sale of goods bearing counterfeit trade-mark or label; penalties for violations; forfeitures).

Nature of Crime/Punishment

- A. Felony (punishable by up to 5 years in prison and \$10,000 fine) or misdemeanor (punishable by up to 1 year in prison and \$5,000 fine), depending on value of goods; forfeiture.
- B. Felony; punishable by up to 5 years' imprisonment, fine of \$10,000, and forfeiture.
- C. Felony (punishable by up to 5 years in prison and \$10,000 fine) or misdemeanor (punishable by up to 1 year in prison and \$5,000 fine), depending on value of goods; forfeiture.



Missouri

Link to Trademark Registration Search Tool

<http://www.sos.mo.gov/business/corporations/contact.asp>

Contact Info for Representative State or City Law Enforcement

For violations of the Merchandising Practices Act, call the Consumer Protection Division of the Missouri AG's Office at 1-800-392-8222, attorney.general@ago.mo.gov, consumer.help@ago.mo.gov.

County prosecuting attorneys handle all seizures and forfeitures of goods under the Criminal Activity Forfeiture Act (CAFA), Mo. Rev. Stat. § 513.600 et seq.

For counterfeit crimes in St. Louis, contact the St. Louis Metropolitan Police, IP Task Force:
Detective Absher: (314) 444-5788
Detective White: (314) 444-5377

Consumer Complaints Division of Attorney General's office: <https://www.consumer.ago.mo.gov/>

State Criminal Counterfeiting Statute(s)

- A. Mo. Rev. Stat. § 570.103 (Definitions—counterfeit marks—penalties) [Recently amended by 2014 Mo. Legis. Serv. S.B. 491 (VERNON'S) (West's No. 9)].
- B. Mo. Rev. Stat. § 570.140 (Deceptive business practice) [Recently amended by 2014 Mo. Legis. Serv. S.B. 491 (VERNON'S) (West's No. 9)].
- C. Mo. Rev. Stat. § 407.020 (Unlawful practices, penalty—exceptions) [Recently amended by 2014 Mo. Legis. Serv. S.B. 491 (VERNON'S) (West's No. 9)].

Nature of Crime/Punishment

- A. Class A misdemeanor is default but may be Class E felony (if prior conviction under this section or violation involves 100–1,000 items or total retail value of \$750+) or Class D felony (if 2+ prior convictions under this section, offense involves manufacture/production of counterfeit items, or involves 1,000+ items or total retail value of \$25,000+).
- B. Class A misdemeanor.
- C. Class E felony.

Montana

Link to Trademark Registration Search Tool

<https://app.mt.gov/bes/>

Contact Info for Representative State or City Law Enforcement

Advised to report crimes to local law enforcement.

State Criminal Counterfeiting Statute(s)

- A. Mont. Code Ann. § 30-13-338 (Trademark counterfeiting).
- B. Mont. Code Ann. § 45-6-318 (Deceptive business practices).

Nature of Crime/Punishment

- A. Punishable by up to \$1,000 fine and/or imprisonment in county jail for up to 6 months. If offense involves 100+ items and retail value is \$1,000+, offense is punishable by fine up to \$10,000 and imprisonment in state prison up to 1 year.
- B. Fine up to \$500 and/or imprisonment in county jail up to 6 months.



Nebraska

Link to Trademark Registration Search Tool

<https://www.nebraska.gov/sos/corp/corpsearch.cgi?nav=search>

Contact Info for Representative State or City Law Enforcement

Nebraska Attorney General's Office Consumer Protection Division

(800) 727-6432 or (402) 471-2682

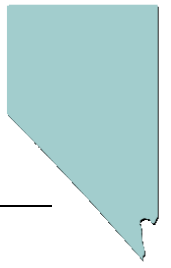
http://www.ago.ne.gov/consumer_protection

State Criminal Counterfeiting Statute(s)

No specific criminal counterfeiting statute, but criminal penalties may be available under Neb. Rev. Stat. §§ 28-1476, 1477, 1478 (deceptive, untrue, or misleading advertisement).

Nature of Crime/Punishment

Class III misdemeanor.



Nevada

Link to Trademark Registration Search Tool

<http://nvsos.gov/sosentitysearch/CorpSearch.aspx>

Contact Info for Representative State or City Law Enforcement

Nevada Attorney General's Office Bureau of Consumer Protection

(702) 486-3132 http://ag.nv.gov/About/Consumer_Protection/Bureau_of_Consumer_Protection/.

They have handled investigations of counterfeit goods in the past.

State Criminal Counterfeiting Statute(s)

- A. Nev. Rev. Stat. § 205.205 (Counterfeiting trademark or design).
- B. Nev. Rev. Stat. § 205.210 (Selling, displaying or advertising goods with false trademarks).
- C. Nev. Rev. Stat. § 205.215 (Fraudulent registration of trademark).

Nature of Crime/Punishment

- A. Misdemeanor.
- B. Misdemeanor, Category E felony (if prior conviction, 100–1,000 units, or retail value of \$1,000–\$10,000), or Category D felony (if 2+ prior convictions, 1,000+ units, or retail value of \$10,000+).
- C. Misdemeanor.

New Hampshire



Link to Trademark Registration Search Tool

<https://www.sos.nh.gov/corporate/soskb/csearch.asp>

Contact Info for Representative State or City Law Enforcement

§ 638:6-b violations are not handled on the state level. Advised to contact law enforcement in the county where the crime occurred.

State Criminal Counterfeiting Statute(s)

N.H. Rev. Stat. Ann. § 638:6-b (Dealing in Counterfeit Goods).

Nature of Crime/Punishment

Class A misdemeanor (if first offense) or Class B felony (if subsequent offense).

New Jersey



Link to Trademark Registration Search Tool

<https://www.njportal.com/DOR/businessrecords/TradeSearch/TradeList.aspx>

Contact Info for Representative State or City Law Enforcement

New Jersey State Police, Cargo Theft and Robbery Unit
(732) 548-7157

<http://www.njsp.org/>

<http://www.state.nj.us/njsp/divorg/invest/invest.html>

State Criminal Counterfeiting Statute(s)

- A. N.J. Stat. Ann. § 2C:21-32 (New Jersey Trademark Counterfeiting Act).
- B. N.J. Stat. Ann. §§ 24:6D-1 to -2 (Counterfeit Drug Act).

Nature of Crime/Punishment

- A. Punishable as fourth, third, or second degree offense, depending on the number of items, total retail value of the items/services, and/or prior convictions. Alternative fine provision (up to three times retail value) may permit fines up to \$100,000 (fourth degree), \$250,000 (third degree) or \$500,000 (second degree).
- B. High misdemeanor (if related to a drug) or misdemeanor (if related to a cosmetic or device).

New Mexico

Contact Info (No Trademark Registration Search Tool Available)

No search tool available online. You may call (505) 827-4508 (choose options for corporations/business filings and then trademarks) to determine if the trademark and/or service mark has been previously registered in New Mexico.

Contact Info for Representative State or City Law Enforcement

Office of the Attorney General, Consumer Protection Division

Three offices organized by area:

(505) 827-6100 (Santa Fe)

(505) 222-9100 (Albuquerque)

(575) 526-2280 (Las Cruces)

<http://www.nmag.gov/consumer>

Submitting a criminal investigations complaint:

<http://www.nmag.gov/home/file-a-complaint/submitting-an-oma-and-or-ipra-complaint/submitting-a-criminal-investigations-complaint>

State Criminal Counterfeiting Statute(s)

None for marks in general, but N.M. Stat. Ann. § 26-1-6 covers counterfeiting of drug labels.

Nature of Crime/Punishment

None.



New York

Link to Trademark Registration Search Tool

http://www.dos.ny.gov/corps/bus_entity_search.html

Contact Info for Representative State or City Law Enforcement

IP crimes handled by each county's division of the Rackets Bureau in their DA's office.

For Manhattan:

(212) 335-9383

http://manhattanda.org/node/174/20#rackets_bureau

Can also contact:

N.Y. County District Attorney's Office, Cybercrime Division

(212) 335-9100

Another good contact for counterfeiting in NYC is the New York City Criminal Justice Coordinators Office, which runs through the Mayor's Office of Special Enforcement,

Kathleen McGee, Director:

(212) 788-2559

kmcgee@cityhall.nyc.gov

Kathleen is also part of the private New York Trademark Task Force, which deals with both civil and criminal enforcement.

Trademark Task Force:

James J. Duggan

(212) 479-4506

jim_duggan@cotyinc.com

Bronx County District Attorney's Office

William Zelenka, Chief of Arson, Auto, Economic Crimes Bureau,

(718) 838-7412

Suffolk County District Attorney's Office

Thomas Spota

(631) 853-4169 (main number; you will be directed to the division that can handle IP theft)

State Criminal Counterfeiting Statute(s)

- A. N.Y. Arts & Cult. Aff. Law §§ 33.01–33.15 (offenses against trademarks).
- B. N.Y. Penal Law § 165.72 (Trademark Counterfeiting in the Second Degree).

Nature of Crime/Punishment

- A. Misdemeanors.
- B. Class E felony.



Link to Trademark Registration Search Tool

<http://www.secretary.state.nc.us/trademrk/search.aspx>

Contact Info for Representative State or City Law Enforcement

Anti-Counterfeit Trademark Task Force

The North Carolina Department of the Secretary of State has 4 sworn agents that work trademark enforcement in all 100 counties. North Carolina also has 77 other officers throughout the state who participate in the Anti-Counterfeit Trademark Task Force.

Contact John M. Lynch, Special Agent in charge of the Investigations Unit at the Secretary of State's Office: (919) 807-2179 or jmlynch@sosnc.com.

State Criminal Counterfeiting Statute(s)

N.C. Gen. Stat. Ann. § 80-11.1 (Criminal use of counterfeit trademark).

Nature of Crime/Punishment

Class 2 misdemeanor (if value less than \$3,000); Class I felony (if value is \$3,000–\$10,000); or Class H felony (if value is \$10,000+). Also a Class H felony to use any device to reproduce a counterfeit mark or to possess such device with intent to reproduce a counterfeit mark.

North Dakota

Link to Trademark Registration Search Tool

<https://apps.nd.gov/sc/busnsrch/busnSearch.htm?results=false>

Contact Info for Representative State or City Law Enforcement

These crimes are not usually handled on the state level in North Dakota. Contact the state's attorney in the area where the crime occurred.

Consumer complaints: <http://www.ag.nd.gov/CPAT/ConsumerComplaints.htm>

State Criminal Counterfeiting Statute(s)

N.D. Cent. Code § 51-07-04 (Selling goods bearing counterfeit trademark).

Nature of Crime/Punishment

Class A misdemeanor.

Ohio



Link to Trademark Registration Search Tool

<http://www2.sos.state.oh.us/pls/bsqry/f?p=100:1>

Contact Info for Representative State or City Law Enforcement

Ohio Office of the Attorney General, Consumer Protection Section

<http://www.ohioattorneygeneral.gov/About-AG/Organizational-Structure/Consumer-Protection>

(800) 282-0515

File a complaint online at <http://www.ohioattorneygeneral.gov/Individuals-and-Families/Consumers/File-A-Complaint>.

Ohio Cybercrimes Contacts

<http://www.ohiohtcia.org/resources/cybercrime>

State Criminal Counterfeiting Statute(s)

Ohio Rev. Code Ann. § 2913.34 (Trademark counterfeiting).

Nature of Crime/Punishment

Misdemeanor or fifth, fourth, or third degree felony, depending on the specific statutory provision violated, the retail value of the items and the number of items.

Oklahoma

Link to Trademark Registration Search Tool

<https://www.sos.ok.gov/trademarks/default.aspx>

Contact Info for Representative State or City Law Enforcement

Oklahoma Office of the Attorney General, Public Protection Unit
<http://www.oag.ok.gov/oagweb.nsf/Consumer!OpenPage>
(405) 521-2029

Attorney General's office:
313 NE 21st Street
Oklahoma City, OK 73105

Oklahoma City: (405) 521-3921
Tulsa: (918) 581-2885

State Criminal Counterfeiting Statute(s)

Okla. Stat. Ann. tit. 21, §§ 1990–1990.2 (Trademark Anti-Counterfeiting Act).

Nature of Crime/Punishment

Default is misdemeanor punishable by imprisonment in county jail of less than 1 year and/or fine of less than \$1,000.

Schedule G felony if defendant has one prior conviction under the section, 100-1,000 items, or retail value of \$1,000-\$10,000.

Schedule E felony if defendant has two or more prior convictions under the statute, 1,000+ items, or retail value of \$10,000+. Forfeiture, seizure and restitution are available under Okla. Stat. Ann. tit. 21, § 1990.2.

Oregon



Link to Trademark Registration Search Tool

http://filinginoregon.com/pages/business_registry/trademarks.html

Contact Info for Representative State or City Law Enforcement

(IP and Counterfeiting Task Force)

The Oregon Department of Justice has an Investigative Task Force that focuses on IP and Counterfeiting.

Contact: Dale Hoskins, Detective/Intelligence Officer

Beaverton Police Department

(503) 526-2507

dhoskins@beavertonoregon.gov;

<http://www.doj.state.or.us/Pages/index.aspx>.

You can also contact the Southern Oregon High Tech Crimes Task Force at (541) 423-1315 if you suspect counterfeiting in Southern Oregon. No website available, but information is available on Facebook at <https://www.facebook.com/sohtctf/info>.

State Criminal Counterfeiting Statute(s)

Or. Rev. Stat. §§ 647.135 - 647.150 (Trademark counterfeiting).

Nature of Crime/Punishment

Class A misdemeanor (if fewer than 100 items and retail value less than \$1,000); Class B felony (if 100–1,000 items and retail value of \$1,000-\$10,000).

Class A felony (if 1,000+ items or retail value of \$10,000+). Forfeiture/seizure available per Or. Rev. Stat. § 647.155.

Pennsylvania



Contact Info (No Trademark Registration Search Tool Available)

Not available online. Contact Pennsylvania Department of State, Corporations at (717) 787-1057 (opt. 4) and request to search trademark registrations.

Contact Info for Representative State or City Law Enforcement

Pennsylvania State Police

<http://www.psp.state.pa.us/portal/server.pt/community/psp/4451>

Captain David Relph

(717) 772-1861

or

Lieutenant Andrew Wenger

(717) 346-3358

Can also contact individual state police stations:

<http://www.portal.state.pa.us/portal/server.pt?open=512&objID=4451&&PageID=452879&level=2&css=L2&mode=2>

Southwestern Pennsylvania Financial Crimes Task Force

<http://www.financialcrimestaskforce.com/complaint.html>

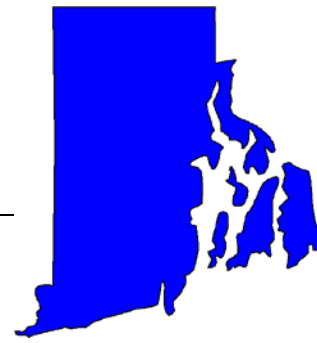
State Criminal Counterfeiting Statute(s)

- A. 18 Pa. Cons. Stat. Ann. § 4119 (Trademark counterfeiting).
- B. 35 Pa. Cons. Stat. Ann. § 780-113(a) (7)-(8) (concerning sale of controlled substances with counterfeit marks).
- C. May also be covered by 18 Pa. Cons. Stat. Ann. § 4101 (forgery) or § 4107(a) (deceptive or fraudulent business practices).

Nature of Crime/Punishment

Default is First Degree misdemeanor, but may be Third Degree felony (if prior conviction, 100–1,000 items, or retail value of \$2,000–\$10,000) or Second Degree felony (if 2+ prior convictions, involves manufacture of counterfeit items, 1,000+ items or retail value of \$10,000+).

Rhode Island



Link to Trademark Registration Search Tool

<http://ucc.state.ri.us/trademarks/trademarksearch.asp>

Contact Info for Representative State or City Law Enforcement

Rhode Island Police, Financial Crimes Section
(401) 444-1209

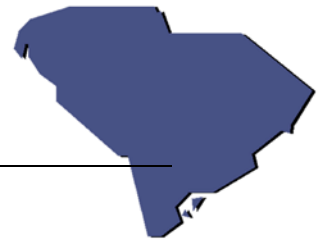
Officer-in-Charge: Sergeant Robert A. Creamer
(401) 444-1201
<http://www.risp.ri.gov/>

State Criminal Counterfeiting Statute(s)

R.I. Gen. Laws § 11-17-13 (Forgery, counterfeiting, or alteration of trademark, service mark, or identification mark).

Nature of Crime/Punishment

Misdemeanor (punishable by up to 1 year in prison and \$1,000 fine) or felony (punishable by up to 5 years in prison and \$5,000–\$10,000 fine), depending on value of the goods and prior convictions.



South Carolina

Contact Info (No Trademark Registration Search Tool Available)

Not available online. Contact South Carolina Secretary of State, Trademarks Division at (803) 734-0629.

Contact Info for Representative State or City Law Enforcement

Crime reporting is not handled on the state level in South Carolina. Report crimes to the solicitor in the circuit where the crime occurred. (16 circuits, each composed of multiple counties.)

South Carolina Department of Consumer Affairs does anti-counterfeiting outreach:
Consumer Advocacy: (803) 734-4200 (Fax: (803) 734-4287)
Consumer Services: (803) 734-4200 (Fax: (803) 734-4286)

Secretary of State, Trademarks Division, also investigates counterfeit marks and fraudulent use of registered marks. Contact Trademarks Division through:

South Carolina Secretary of State's Office
Attn: Trademarks Division
1205 Pendleton Street, Suite 525
Columbia, SC 29201

State Criminal Counterfeiting Statute(s)

S.C. Code Ann. §§ 39-15-1190 (Sale of goods or services with counterfeit mark; production or reproduction of counterfeit mark; penalties).

Nature of Crime/Punishment

Misdemeanor or felony, depending on value of goods. If person is convicted of a second violation of the section, they are guilty of felony without regard to value of the items. Punishable by fine and/or imprisonment. Seizure/forfeiture available per S.C. Code Ann. § 39-15-1195.

South Dakota



Link to Trademark Registration Search Tool

<https://sos.sd.gov/business/search.aspx>

Contact Info for Representative State or City Law Enforcement

Bethanna Feist, Office of the South Dakota Attorney General, Consumer Protection Division
(605) 773-3216

bethanna.feist@state.sd.us

or

Jody Swanson, Director of Consumer Protection
(605) 773-4400

Jody.Swanson@state.sd.us

<http://atg.sd.gov/Consumers.aspx>

Division of Consumer Protection

1302 E. Hwy. 14, Suite 3

Pierre, S.D. 57501-8503

Phone: (605) 773-4400

Consumer Help Line: 1-800-300-1986 (South Dakota only)

Fax: (605) 773-7163

Email: <http://atg.sd.gov/Consumers/ContactConsumerProtection.aspx>

State Criminal Counterfeiting Statute(s)

- A. S.D. Codified Laws § 37-6-2 (Forgery or counterfeiting of trade-mark as misdemeanor—fraudulent use—sale of goods under counterfeit mark).
- B. S.D. Codified Laws § 37-6-3 (Imitation of trade-mark as misdemeanor—civil penalty).
- C. S.D. Codified Laws § 22-42-9 (Manufacture, distribution, or possession of equipment for making counterfeit controlled substance as felony).

Nature of Crime/Punishment

- A. Class 1 misdemeanor.
- B. Class 1 misdemeanor.
- C. Class 5 felony.

Tennessee



Link to Trademark Registration Search Tool

http://tennessee.gov/sos/bus_svc/TrademarkSearch.htm

Contact Info for Representative State or City Law Enforcement

Tennessee Department of Commerce and Insurance, Division of Consumer Affairs

Mr. E. Ross White, Assistant Director

(615) 741-4737

<http://tn.gov/commerce/>

Consumer Affairs

<http://www.tn.gov/consumer/contact.shtml>

500 James Robertson Pkwy, 12th Floor

Nashville, TN 37243-0600

(615) 741-4737

consumer.affairs@tn.gov

State Criminal Counterfeiting Statute(s)

- A. Tenn. Code Ann. § 39-14-152 (Counterfeit marks; definitions; violations; punishments; remedies).
- B. Tenn. Code Ann. § 39-14-115 (Criminal simulation).

Nature of Crime/Punishment

- A. Punishment by fine and/or imprisonment. Felony vs. misdemeanor and punishment varies by value of goods/services per Tenn. Code Ann. § 39-14-105.
- B. Punished as theft under Tenn. Code Ann. § 39-14-105, but no less than a Class E felony. Punishment varies by value of goods or services.

Texas



Link to Trademark Registration Search Tool

<http://www.sos.state.tx.us/corp/sosda/index.shtml>

Contact Info for Representative State or City Law Enforcement

Texas Department of Public Safety Criminal Investigations

(512) 424-2194

<http://www.txdps.state.tx.us/>

<http://www.txdps.state.tx.us/CriminalInvestigations/hqContact.htm>

Area-specific contacts:

City of Austin Police Department

Sergeant Richard Burns, Narcotics Conspiracy Section

(512) 974-5358 or

Sergeant Eric De Los Santos

(512) 974-5293

City of Houston Police Department, Major Offenders Division

(713) 308-3100

Bexar County Police Department, Criminal Investigations

(210) 335-5070

There are also IP specialists in the City of San Antonio PD, through the Targeting Intellectual Property Project (TIPP)—contact Sergeant Miles Earwood at (210) 207-4374.

State Criminal Counterfeiting Statute(s)

Tex. Penal Code Ann. § 32.23 (Trademark counterfeiting).

Nature of Crime/Punishment

Anywhere from Class C misdemeanor to First Degree felony, depending on the value of the items or service.

Utah

Link to Trademark Registration Search Tool

<https://secure.utah.gov/bes/>

Contact Info for Representative State or City Law Enforcement

Utah Attorney General Investigation Division

Supervisory Special Agent Leo Lucey

(801) 281-1200

LLucey@utah.gov

Utah State Attorney General's Office of Victim Services

5272 South College Drive (480 West)

Murray, UT 84123

(801) 281-1206

Salt Lake City Police Department also has a Financial Crimes Unit that may handle these matters: <http://slcpd.com/inside-the-department/investigative-bureau/>; (801) 799-3000.

State Criminal Counterfeiting Statute(s)

- A. Utah Code Ann. § 76-10-1001 to -1010 (various trademark related offenses).
- B. Utah Code Ann. § 4-5-1 (Utah Wholesome Food Act) [covers offenses such as mislabeling or counterfeiting a label, mark or stamp].
- C. Utah Code Ann. § 76-6-518 (Criminal simulation).

Nature of Crime/Punishment

- A. Class B misdemeanor (if value is less than \$500).
- B. Class A misdemeanor (if value is \$500-\$1,500).
- C. Third degree felony (if value is \$1,500-\$5,000) or second degree felony (if value is \$5,000+).

Vermont



Link to Trademark Registration Search Tool

<https://www.vtsosonline.com/online/BusinessInquire/>

Contact Info for Representative State or City Law Enforcement

Vermont Attorney General's Office

<http://www.atg.state.vt.us/>

Criminal Division (specializes in internet crimes)
(802) 828- 5512

Consumer Assistance Program

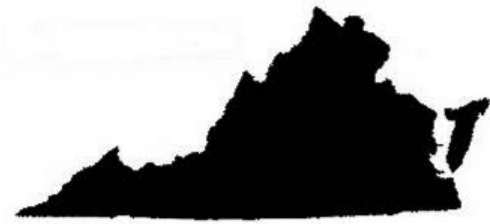
(802) 828-2891, ago.consumerquestion@state.vt.us

State Criminal Counterfeiting Statute(s)

No specific counterfeiting statute, but the trademark registration statute provides for various civil remedies, including injunctions and seizure and destruction of counterfeit items. Vt. Stat. Ann. tit. 9, § 2529.

Nature of Crime/Punishment

None.



Link to Trademark Registration Search Tool

<http://www.scc.virginia.gov/srf/SERFWEB/RegistrationSearches/WebForms/Search.aspx?SearchType=TMSM>

Contact Info for Representative State or City Law Enforcement

Virginia State Police, Bureau of Criminal Investigation

<http://www.vsp.state.va.us/BCI.shtm>

VSPBCI@vsp.virginia.gov

Special Agent Julia Gunderson

(804) 840-9374 (cell phone)

julia.gunderson@vsp.virginia.gov

State Criminal Counterfeiting Statute(s)

No specific counterfeiting statute, but criminal penalties can be awarded under the False Advertising statute, Va. Code Ann. §§ 18.2-216 to -246 (Class 1 misdemeanor) [amended by 2014 Virginia Laws Ch. 650 (H.B. 259)].

Counterfeit goods can also be seized and destroyed under Va. Code Ann. § 59.1- 92.12(2) (infringement).

For counterfeit recordings, Va. Code Ann. § 59.1-41.2. Virginia State Police Special Agent indicated that she also charges counterfeiters under Va. Code Ann. § 18.2-178, obtaining money by false pretense, which is a Class 4 felony.

Nature of Crime/Punishment

None.

Washington



Contact Info (No Trademark Registration Search Tool Available)

No online search tool available (at least for the next few years). In the interim, call Secretary of State, Corporations Division at (360) 725-0377 or email corps@sos.wa.gov

Contact Info for Representative State or City Law Enforcement

Advised to contact local prosecutor's office in the county in which it occurs.

General consumer complaint form:

<https://fortress.wa.gov/atg/formhandler/ago/ComplaintForm.aspx>

Office of the Attorney General Antitrust Division

http://www.atg.wa.gov/antitrust.aspx#.U9_xFPIdUnU

800 Fifth Avenue, Suite 2000

Seattle, WA 98104-3188

Telephone: 206-587-5510

Fax: 206-464-6338

High-Tec Crime Unit Contact

<http://www.wsp.wa.gov/crime/iad.htm#sis>

State Criminal Counterfeiting Statute(s)

- A. Wash. Rev. Code § 9.16.020 (Imitating lawful brand).
- B. Wash. Rev. Code § 9.16.030 (Counterfeit mark—intellectual property).

Nature of Crime/Punishment

- A. Felony (if done with certain intent) or misdemeanor. Felony punishable by imprisonment up to 5 years and/or fine up to \$1,000.
- B. Per Wash. Rev. Code § 9.16.035: misdemeanor (default); gross misdemeanor (if defendant has prior counterfeiting conviction or involved 100–1,000 items or value of \$1,000-\$10,000; or Class C felony (if meets certain conditions). Forfeiture available per Wash. Rev. Code § 9.16.041.

West Virginia



Link to Trademark Registration Search Tool

<http://apps.sos.wv.gov/business/trademarks/>

Contact Info for Representative State or City Law Enforcement

West Virginia State Police, Bureau of Criminal Investigations
<http://www.statepolice.wv.gov/Pages/default.aspx>

Bob Hindman, Financial Crimes Investigator, handles IP crime reporting:
(304) 766-5560

Attorney General Office Consumer Protection
<http://www.ago.wv.gov/consumerprotection/Pages/default.aspx>
complaint@wvago.gov

State Criminal Counterfeiting Statute(s)

Appears to be no specific counterfeiting statute, though there are some related statutes like W. Va. Code § 60A-4-403 (prohibits false or fraudulent use of trademark to make counterfeit drug).

The primary enforcement mechanism appears to be civil remedies for infringement (see, e.g., W. Va. Code §§ 47-2-12 (infringement), 47-2-13 (injury to business reputation), 47-2-14 (provides civil remedies)).

Nature of Crime/Punishment

None.



Wisconsin

Link to Trademark Registration Search Tool

<https://www.wdfi.org/apps/TrademarkSearch/Search.aspx>

Contact Info for Representative State or City Law Enforcement

Contact local law enforcement or report to:
Wisconsin Department of Justice, Division of Criminal Investigation
<http://www.doj.state.wi.us/dci/report-crime>
(608) 266-1671

General Consumer Protection (to file complaints)
[http://www.doj.state.wi.us/dls/consumer-protection/how-file-complaint"](http://www.doj.state.wi.us/dls/consumer-protection/how-file-complaint)

State Criminal Counterfeiting Statute(s)

- A. Wis. Stat. § 132.02 (Duplication or reproduction).
- B. Wis. Stat. § 132.20 (Trafficking in counterfeit marks).

Nature of Crime/Punishment

- A. Per Wis. Stat. § 132.03: Punishable by up to 6 months in prison and fine of \$10,000.
- B. Class H felony—expressly punishable by fine of up to \$250,000 (natural person) or \$1,000,000 (legal person).

Wyoming



Link to Trademark Registration Search Tool

<https://wyobiz.wy.gov/Business/FilingSearch.aspx>
<http://will.state.wy.us/trademarks/>

Contact Info for Representative State or City Law Enforcement

The state AG does not handle these matters; criminal charges for counterfeiting are handled on the local level.

Contact the county attorney or district attorney in the area where the crime occurred.

Consumer Protection Unit

<http://ag.wyo.gov/cpu>

Toll-free in Wyoming (800) 438-5799

(307) 777-5833

Fax: (307) 777-7837

AG.Consumer@wyo.gov

Attn: Clyde Hutchens, Senior Assistant Attorney General

(Clyde Hutchens handles consumer protection and antitrust matters)

State Criminal Counterfeiting Statute(s)

There is no specific counterfeiting statute, but conduct may be covered by the following:

- A. Wyo. Stat. Ann. §§ 6-3-610 (Mislabeling merchandise; penalty); 6-3-611 (false, misleading or deceptive advertising; penalty).
- B. Counterfeiting of controlled substances is covered by Wyo. Stat. Ann. § 35-7-1031(b), while Wyo. Stat. Ann. § 35-7-1033(a) (v) bars use of another's trademark on a drug, container, or label so as to render it a counterfeit.

Nature of Crime/Punishment

- A. Violations of §§ 6-3-610 and 6-3-611 are misdemeanors punishable by up to \$750 fine.
- B. Violations of §§ 35-7-1031(b) and 35-7-1033(a) (v) may be felonies punishable by imprisonment and fines.



Puerto Rico

Link to Trademark Registration Search Tool

<https://prtmfiling.f1hst.com/>

Contact Info for Representative State or City Law Enforcement

Puerto Rico Department of Justice

Luis Sanchez Betances, Secretary

<http://www.justicia.pr.gov/>

(787) 721-2900

Puerto Rico Department of Consumer Affairs

<http://daco.gobierno.pr/>

Departamento de Asuntos Del Consumidor

Apartado 41059

Minillas Station

Santurce

(787) 722-7555

Toll-free: (866) 520-3226 (PR)

How to file a complaint: <http://daco.gobierno.pr/consumidores/Pages/Como-radicar-una-querella.aspx>

State Criminal Counterfeiting Statute(s)

No criminal counterfeiting statute. Civil remedies available under 10 L.P.R.A. § 223w (West).

Nature of Crime/Punishment

None.