

## **AFFIDAVIT**

I, Wayne E. Wright, being duly sworn, do hereby depose and state:

### **I. INTRODUCTION**

1. I am employed as a Special Agent with the U.S. Department of Homeland Security, Immigration & Customs Enforcement, Homeland Security Investigations (HSI), and have been so employed since September 2008. During this time, I have been assigned to the office of the Resident Agent in Charge, Greenville, SC. Prior to that time, I was employed for ten years as a Special Agent with Internal Revenue Service-Criminal Investigation (IRS-CI), during which time I was assigned to offices in Mobile, AL and Greenville, SC. I have a Bachelor of Science in Financial Management from Clemson University and a Juris Doctor from the University of Tennessee. I also graduated from the Criminal Investigator Training Program (1998), IRS-CI Special Agent Basic Training (1999), and ICE Special Agent Training (2008), all at the Federal Law Enforcement Training Center in Glynco, GA. My duties as an HSI agent include the investigation of violations of U.S. customs and immigration statutes as well as other federal criminal offenses, including money laundering offenses. As a federal agent, I have participated in multiple investigations involving financial fraud and money laundering.

### **II. APPLICABLE STATUTE**

2. Title 18, United State Code, Section 1341, in pertinent part, makes it a crime for whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, for the purpose of executing such scheme or artifice or attempting so to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or deposits or causes to be deposited any matter or thing whatever to be sent or delivered by any private or commercial interstate carrier, or takes or receives therefrom, any such matter or thing, or knowingly causes to be delivered by mail or

such carrier according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such matter or thing.

### **III. PURPOSE OF AFFIDAVIT**

3. This affidavit is made in support of a complaint charging Viktors SUHORUKOVs with violation of Title 18, United States Code, Section 1341.
4. The contents of this affidavit are based upon my personal knowledge, observations and training, prior investigations, law enforcement database research, and where noted or otherwise indicated by context, information reported or related to me by other law enforcement officers and witnesses. The affidavit is offered to establish probable cause to support the complaint and does not purport to set forth all my knowledge of, or investigation into, this matter.

### **IV. PROBABLE CAUSE**

5. On January 16, 2020, the Greenville Police Department (GPD) advised Homeland Security Investigations agents in Greenville, SC of the pendency of a local investigation of a fraud committed against Julie Maddox of Greenville, SC. Maddox, who is the principal of Sugar Beeze LLC, contacted GPD after discovering she had been defrauded into sending two checks, which she believed to be required fees for renewal of two United States trademarks held by her business, to "Patent and Trademark Office," an entity that was not the United States Patent and Trademark Office, the federal agency responsible for granting patents and registering trademarks.
6. On or about July 12, 2019, Maddox received a mailed invoice, numbered 14041 from "Patent and Trademark Office" at 2200 Pennsylvania Avenue, N.W., 4<sup>th</sup> Floor East, Washington, DC 20037. That invoice was addressed to Sugar Beeze, LLC, c/o Julie Maddox at Maddox' address in Greenville, SC. The invoice specified that it was for

“Trademark 4863874 renewal 1 class included” with a corresponding charge of \$925.00. The invoice stated that payment was due on August 12, 2019.

7. On or about July 12, 2019, Maddox received a mailed invoice, numbered 14042 from “Patent and Trademark Office” at 2200 Pennsylvania Avenue, N.W., 4<sup>th</sup> Floor East, Washington, DC 20037. That invoice was addressed to Sugar Beeze, LLC, c/o Julie Maddox at Maddox’ address in Greenville, SC. The invoice specified that it was for “Trademark 4863870 renewal 1 class included” with a corresponding charge of \$925.00 The invoice stated that payment was due on August 12, 2019.
8. On or about August 8, 2019, Maddox transmitted payment for these invoices via U.S. Mail. The invoices were paid using a single check, numbered 1154, drawn on Sugar Beeze LLC’s account at the Bank of Traveler’s Rest, and made payable to “Patent & Trademark Office” in the amount of \$1850.00.
9. Records obtained by GPD from Bank of America (BOA) reflect that, on August 22, 2019, the aforementioned check was among \$42,265 in checks submitted for deposit into a BOA account number ending in XXXXXXXX05876. That account is held in the name of Patent and Trademark Office LLC, 2200 Pennsylvania Ave NW Floor #4, Washington, DC 20037-1731. BOA records also reflect the sole signer of the account as Viktors SUHORUKOVS with an address in Staten Island, NY. SUHORUKOVS identified himself to BOA as the holder of a Latvian passport. BOA records reflect the email address associated with Patent and Trademark Office, LLC as patentandtrademarkoffice@gmail.com.
10. On January 21, 2020, I spoke with Daniel Flynn, Assistant Vice President and Fraud Investigations Manager with United Bank in Morgantown, WV. Flynn advised me that Viktors SUHORUKOVS had opened two accounts at a United Bank. Flynn advised that the two United Bank accounts opened by SUHORUKOVS were opened at United Bank’s 18th

& K Branch located in Washington, DC in December 2019. SUHORUKOVS opened two accounts at that time, one in the name of Patent and Trademark Bureau LLC and one in the name of Patent and Trademark Office LLC. According to Flynn, after the accounts were opened, the accounts began receiving deposits that were questioned by bank personnel. Flynn stated that led bank personnel to perform research on the official United States Patent and Trademark Office (USPTO) website, where bank personnel found information linking an address used by at least one of the companies to an entity identified on the USPTO website as having engaged in fraudulently soliciting fees for trademark renewals. Based on this information and the nature of the checks being deposited into the accounts, United Bank closed both business accounts opened by SUHORUKOVS.

11. In the early morning of January 21, 2020, SUHORUKOVS contacted a United Bank employee from email address patentandtrademarkoffice@gmail.com<sup>1</sup>. In that email, SUHORUKOVS stated as follows:

Dear Chris,

I was out from the office these days and only now I knew that both bank accounts for my both companies are closed. I have sent to the branch three parcels with checks to be deposited. I realize that these checks won't be deposited but I would like to get all of them back. Could we arrange this as soon as possible?

Two of them have been sent by UPS and one by DHL.

Do you have any information why accounts are closed?

Company name: Patent and Trademark Office LLC.

Account number: XXXXX4445 • \*2875 • Checking • Patent and Trademark Office LLC

Company ID: XXXX832

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<sup>1</sup> This is the same email address associated with the Bank of America account into which the invoice payment check of Sugar Beeze, LLC sent by Julie Maddox was deposited.

User ID: vsuhorukovs

Thank you. Please respond as soon as possible.

Kind regards,

Viktors Suhorukovs

12. Flynn confirmed that United Bank received the three shipments of checks referenced by SUHORUKOVS, but the checks were received by United Bank after the two accounts opened by SUHORUKOVS had been closed. Flynn further advised that the checks in the shipments referenced in SUHORUKOVS' email remain undeposited due to the accounts being closed. Flynn requested that the branch that received the checks forward the undeposited checks to him, and Flynn advised me that he was currently in possession of the checks. Flynn described the checks as being from entities all over the United States and all in similar, relatively small amounts not exceeding a few thousand dollars each at most. Flynn stated that the total of the all checks exceeded at least one-million dollars. Flynn was unable to calculate an exact total for the checks due to my requesting that Flynn minimize handling of the checks to preserve potential forensic evidence.
13. I advised Flynn that Homeland Security Investigations would like to take custody of the undeposited negotiable instruments as evidence in its investigation and for possible forfeiture as fraud proceeds. Flynn stated that United Bank would be willing to provide the items to HSI. On January 30, 2020, I received a UPS shipment from Flynn which included the aforementioned undeposited negotiable instruments, associated bank deposit slips, and correspondence from SUHORUKOVS that accompanied the items when they were delivered to United Bank. The shipment was found to contain a total of 916 instruments, which appeared to be payments for U.S. trademark renewal fees from entities across the United States and Canada, with a total value of \$1,279,409.01. Among those items were several checks from entities located in South Carolina, including check 085905 from South

Carolina Farm Bureau Federation in Cayce, South Carolina made payable to Patent and Trademark Office, PO Box 287221, New York, NY 10130-0037, dated October 9, 2019, in the amount of \$1650.00 and check number 504 from the Emerson Rose Heart Foundation in Clemson, SC, dated September 4, 2019, and made payable to Patent & Trademark Office in the amount of \$925.00.

14. In reviewing the transmittal correspondence from SUHORUKOVs which accompanied the items received by United Bank, I noted the typeface and address formatting for Patent and Trademark Office, LLC reflected on that correspondence appeared to match the typeface and address formatting shown on the two documents sent to Julie Maddox in Greenville, SC, as discussed previously.
15. On February 6, 2020, U.S. Postal Inspector Kyle Parker spoke with Eric Seymour, Chief Financial Officer for South Carolina Farm Bureau Federation in Cayce, South Carolina. Parker contacted Seymour regarding check number 085905 to Patent and Trademark Office, PO Box 287221, New York, NY 10130-0037 for \$1650.00. Eric Seymour's name was the Authorized Signature on the check.
16. In response to questions posed by Inspector Parker, Seymour stated he received a mailed invoice for Patent and Trademark Office on September 9, 2019. Seymour was suspicious of the invoice after he received a second invoice for Patent and Trademark Bureau months later and was currently investigating the situation. Seymour stated the company had unintentionally mailed two separate checks to renew the trademark, "South Carolina Farmer."
17. Seymour emailed Inspector Parker a copy of the invoice received by South Carolina Farm Bureau Federation from Patent and Trademark Office. The invoice states, "Your trademark is about to expire. Renewal Date: 11-26-2019." Through further investigation, it became known the earliest actual date to renew the trademark, "South Carolina Farmer," is November 26, 2021, a full two years later than the renewal date stated on the invoice from

Patent and Trademark Office. The information about the actual renewal date for the trademark was obtained from a trademark status search tool on the USPTO's official government website.

18. Seymour believed the invoices the company received to be from the Patent and Trademark Office of the United States Government regarding his company's trademark. A Quick Response (QR) Code was printed on the invoice from Patent and Trademark Office. Inspector Parker scanned the code which linked directly to the USPTO government, website [www.uspto.gov](http://www.uspto.gov), and its inclusion on the invoice is believed to be in furtherance of the scheme to defraud South Carolina Farm Bureau Federation.
19. Seymour stated he would never have used a third-party company to renew his company's trademark.
20. I received a copy of an email message that was sent on February 6, 2020 by SUHORUKOV, using email address [patentandtrademarkoffice@gmail.com](mailto:patentandtrademarkoffice@gmail.com), to Chris Northrup with United Bank. In that message, SUHORUKOV stated:

Hello Mr. Northrup,

Thank you for the information. I could visit your branch during next two weeks starting from Monday, February 10. Is it any particular time to get back these checks?

Please advise.

Could tell me what was the purpose to close an account?

Thank you and wish you a great day.

Kind regards,

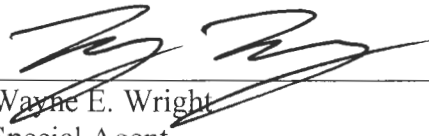
Viktors Suhorukovs

Patent and Trademark Office LLC

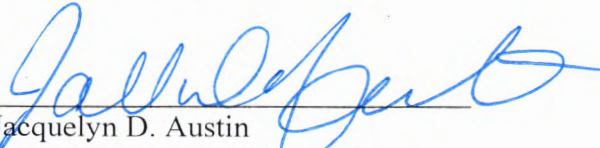
21. On February 7, 2020, I received information from Department of Homeland Security databases which indicated that SUHORUKOV is scheduled to arrive in the United States on February 9, 2020 at John F. Kennedy Airport in New York, NY aboard Aeroflot Airlines flight 100 from Moscow, Russia.

**V. CONCLUSION**

22. Based upon the foregoing, I submit that there is probable cause to believe that, on or about July 12, 2019 and September 4, 2019, in the District of South Carolina and elsewhere, Viktors SUHOROKOV did, after having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, for the purpose of executing such scheme or artifice or attempting so to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or deposits or causes to be deposited any matter or thing whatever to be sent or delivered by any private or commercial interstate carrier, or takes or receives therefrom, any such matter or thing, or knowingly causes to be delivered by mail or such carrier according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such matter or thing, and as a result of his actions, caused actual or potential loss to victims in excess of \$1,200,000.00, all in violation of Title 18, United States Code, Section 1341.

  
Wayne E. Wright  
Special Agent  
U.S. Department of Homeland Security  
Homeland Security Investigations

SWORN to and SUBSCRIBED before me this 9th day of February, 2020.

  
Jacquelyn D. Austin  
United States Magistrate Judge