

From: [Tara Reed](#)
To: [Fee.Setting](#); [TM.FR Notices](#); [Cain, Catherine](#)
Subject: Fee Setting
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I would like to express my opposition to the USPTO's proposed \$100-200 fee for Letters of Protest.

As you know, a trademark is a type of intellectual property consisting of a recognizable sign, design, or expression which identifies products or services of a particular source from those of others. It is not meant to be a way to stop competition, but that is how it is being used regularly in the clothing category IC 025. It may be in other categories as well but my experience is with IC 025.

Giving access to individuals, small businesses and entrepreneurs to "raise our hand" and point out to the USPTO that a new application doesn't identify products or services of a particular source but is rather an attempt to stop competition, makes sense. We, the interested individuals, are spending our time looking for evidence, gathering it and handing it to the USPTO to aid in their decisions - essentially acting as free research assistants.

I understand that the USPTO receives hundreds, if not thousands of trademark registration applications monthly. I know because I regularly look through them to see if any are common phrases trying to get through in order to stop competition in the marketplace that have nothing to do with identify products or services of a particular source or brand.

I can only imagine how many applications any one lawyer or employee of the USPTO must review and decide on in any given month. I often look at the logs and see that 2-5 minutes were spent looking online to see if a word or phrase appears to be in common use, and particularly commercial use, or not. It's next to impossible to get a clear picture in such a short time - I assume that is why so many commonly used phrases have been granted trademark registrations to date.

People like me, who file Letters of Protest, are helping the process. I spend 30-40 minutes looking for evidence. If there is ample evidence, I put it together and submit it through the process set up by the USPTO. I, as do many others, offer greater context and an ability to see a wider scope of what is in the commercial environment than a 2-5 minute search by one person at the USPTO.

In addition to providing free research and a wider perspective, having the ability to file Letters of Protest for free offers a more even playing ground for the public and small businesses. By adding a \$100 fee to "raise our hands" individuals and small businesses will be effectively silenced. Corporations will be allowed to eliminate competition by getting frivolous marks through a rushed and clogged system.

Why do I spend my time preparing Letters of Protest and why am I spending my time sharing my thoughts for this review?

I am an artist who has earned a living, paid taxes and provided for my family since 2004. I am one of the millions who are not in the traditional job market (or unemployment statistics) because I am forging my own way. I use my skills to meet the needs of the marketplace - that

is, I believe, what "The American Dream" is about.

Much of my business and income uses words and phrases. I search every saying on TESS before creating my products. I respect the trademarks and copyrights of others as I want them to respect mine. (I don't hold any trademarks but I am a fine artist and register my art with the Copyright division of the Library of Congress.)

I simply want the trademark process to work as it is supposed to - and as it is stated on the USPTO website. Today, in practice, it is not. That is why having a free Letter of Protest process is so vital.

Please don't restrict access to the voices and help of the people by approving this fee.

Thank you for your time and consideration.

- Tara Reed