

From: [Mary Spencer](#)
To: [Fee.Setting](#); [TM.FR Notices](#); [Cain, Catherine](#)
Subject: Fee charge protest
Date: Wednesday, September 4, 2019 7:49:50 PM

To whom it may concern,

As a small creative business owner, we have been struggling with the abundance of standard dictionary words and common phrases that are being trademarked. Not too long ago, we had to go through hoops trying to get a trademark for our brand which was not a common phrase. Now, words and phrases are being trademarked at lightning speed, not for brands, but for products such as t-shirts and prints. It mostly appears to be Amazon umbrella brands, with the funds and manpower to push through large amounts of frivolous words just to keep their t-shirts lines monopolizing the industry and pushing out the little guys. They are pretending to have actual brands when really just selling a word or phrase on every type of print on demand item. Using overseas help to push products through with little to no creativity. Why is this happening?

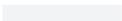
In the past, we were advised to do Google searches to see if the words we wanted to use for our brand were being used anywhere else on the web because "it will be tough to get your trademark through" we were told by our trademark lawyers. Now, anyone can file a trademark, get it approved and go after all the other hundreds or even thousands of small businesses already using those words on their products. Why is this happening?

And, now, we are no longer able to file a LOP to say, "Hey, we object to that word, Duh, or Dogs, or TV Dad, because I'm already using that on my t-shirt, mug, print etc." for free. Now we will be required to pay \$100 or more each time we try to defend our own creations. Perhaps instead you could charge those who are trying to trademark frivolous common words and phrases the \$100 instead.

The popularity of catch phrases and single word art is currently flourishing so no wonder individuals are clawing to get their word/words snatched up so no one else can use them. This was NOT the original intent of the USPTO. Why is this happening?

Below are just a small selection of common words and phrases that have been trademarked.

1. DUH 5535385
2. THIS IS JUST GENIUS 5741096
3. REMATCH 5693289
4. IT'S A BEAUTIFUL DAY TO BE ALIVE 5658196
5. 1970 5651855
6. HIPPIE VIBE 5613418
7. I ONLY MAKE BOYS 5576414
8. WE ALL HAVE OUR MOMENTS 5570168
9. DO GOOD BE KIND 5563924
10. TV DAD 5550878

11. TEQUILA KILLS 5545986
 12. WAR 5544499
 13. NEIGHBORHOOD 5505435
 14. BE THE MAN 5489044
 15. BIRD NERD 5417471
 16. GREETINGS FROM 5381513
 17. THE BEST KIND OF DAD 5313209
 18. MEGALODON 5306714
 19. GREATEST GUITARIST EVER 5287747
 20. BUSY MOM 5250857
 21. NOT TODAY 5247946
 22. VOLLEYBALL LIFE 5180887
 23. MOMMY TO BE 5133777
 24. FOOTBALL MOM 4783661
 25. BASEBALL MOM 4783660
 26. SOFTBALL MOM 4783658
 27. I LOVE MY BIG SISTER 4749476
 28. I WORK HARD 4686987
 29. I LOVE MY WIFE 4541673
 30. WHAT'S YOUR SUPERPOWER? 4169154
 31. NO SLEEP 3812057
 32. ADULTING & SCREAMING 5553248
 33. I'M THE BIG BROTHER 2166736
 34. I'M THE BIG SISTER 2153621
 35. WORKING HARD SO MY DOG CAN HAVE A GOOD LIFE 5534946
 36. EVERYTHING OFFENDS ME 5555286
 37. I WILL WIN 5542855
 38. MISTAKES 5544220
 39. DOGS 5843989
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40. BOYMOM 3347486

41. AVOCADO

The list goes on and on and on.....boy, beers, cat, classy, exhale, explore, faithful, farm, farmhouse, gotcha, hello, hope, hubby, impossible, inhale, magic, mother, nope, obey, redemption, relax, reset, sister, slay, sparkle and on and on and on and on and my favorite... Jesus. What do you suppose Jesus would think of that? Why is this happening?

So, please, we beseech you to help the small businesses and put a stop to frivolous trade marking. Please don't add additional costs for LOPs. Perhaps you can charge much more for trademarks so that it would discourage these kinds of things from happening.

Please put yourselves in our position. We are trying to feed our families, pay our mortgages, build a life and every time we have to take down one of our items that has been in the market selling because someone has chosen to suddenly trademark the word "dogs" or "avocado," and, is now allowed to have us take down our items which were there first, damage is being done not only to us, but to the creative community as a whole.

Why is this happening? Why is this happening? Why is this happening? Oh, looks like that hasn't been trademarked yet... I'd better hop on it before someone else snatches it up.

Thanks for taking the time to read this and your consideration in making changes to the current trademark laws.

Sincerely,

Mary Spencer