

From: [Mark Bohner](#)
To: [TM FR Notices](#)
Subject: Proposed Fee For LOPs
Date: Sunday, September 29, 2019 4:12:55 AM

To whom it may concern,

by using an example I will show the insanity of wanting to charge \$100 for LOPs:

Trademark: DOGS (US Registration Number: 5843989)

By approving "DOGS" the USPTO gave the trademark holder the power to take down a multi-million dollar clothing niche on all relevant marketplace-platforms like amazon, redbubble, etsy etc. regardless of the legal correctness of the trademark.

If the trademark holder would enforce the trademark, every single apparel listing containing the word "DOGS" in the design or just in the keywords would be taken down on all online marketplaces - no questions asked. From a legal standpoint the marketplaces rely on the trademark system and enforce trademarks regardless of correctness.

The USPTO is the only institution standing between trademark-bullies and an entire industry of honest people trying to make a living in the print-on-demand-industry.

Asking \$100 for LOPs would make easy game for trademark-bullies to just trademark everything they can, kill competition instantly and make a fortune based on frivolous trademarks.

The legal correctness of a trademark is irrelevant, if there is no practical way to fight it once it is falsely approved by the USPTO. The marketplaces take down listings instantly as soon as a trademark is presented. There is no way to defend against this in this system.

Going to court and fighting legally is just a theoretical option since we suffer the consequences as if the trademark was correct by the marketplaces.

Please realize that the trademark system in class 25 gets abused like crazy and charging for LOPs would certainly give trademark-bullies free game and crush the whole industry.

LOPs tell the USPTO what is going on and they are basically free labor. People are gathering evidence and presenting it to the USPTO for free.

To even suggest to charge LOPs shows such a profound misunderstanding of what is going on in class 25 - it is mind-blowing to me.

Charge the trademark-bullies and not the defenders.

I advise strongly against this policy and I advise for a rational policy that hinders trademark abuse of frivolous trademarks.

Mark Bohner