

From: [Daniela](#)
To: [TM FR Notices](#)
Subject: Proposed Fee for Letters of Protest
Date: Monday, September 30, 2019 5:52:03 PM

To Whom It May Concern:

I am writing to voice my opposition regarding the proposed \$100-200 filing fee for Letters of Protest.

As part of a large community of Print of Demand (POD) business owners, many of the products we sell often incorporate funny or simple common word phrases that consumers identify with. However, there are unscrupulous individuals and businesses who see this as an opportunity to trademark these popular phrases. In these instances, more often than not, the trademark applied for does NOT identify a specific product or service of a particular source but instead is ornamental in nature and simply an attempt to stop competition.

Examples of frivolous trademarks that have been granted are:

DOGS 5843989
WHAT'S YOUR SUPERPOWER? 4169154
BASEBALL MOM 4783660
1970 5651855
DUH 5535385
GREETINGS FROM 5381513

This list could go on, as it seems examing attorneys have been rubber-stamping applications without due diligence.

Those of us in the Print on Demand space depend on the ability to file FREE Letters of Protest in order to stop those frivolous trademarks from being granted in the first place. This proposed fee if implemented will secure an unfair advantage for those attempting to file these frivolous trademarks, because for small business owners, like me, it would be cost-prohibitive to pay \$100 every time to file a Letter of Protest considering the thousands of applications that need protesting.

The system is broken and something needs to change, but instituting a fee for Letters of Protest is not the answer. Instead of burdening small business owners with fees, consider increasing the cost of filing a trademark or establishing penalty fees for filing false specimens and frivolous marks to cover USPTO's operational costs.

Thank you for your consideration.

Sincerely,
Daniela Carpenetti