

From: [Andrea Fast](#)
Cc: [Fee.Setting](#); [TM.FR Notices](#); [Cain, Catherine](#)
Subject: Proposed Fee for Letters of Protest
Date: Monday, September 30, 2019 3:50:16 PM

To Whom It May Concern:

I am writing to voice my concern about the proposed \$100-200 fee for filing a letter of protest. I file letters of protest because trademarks are meant to cover and protect actual brands or slogans of companies, not basic words. These frivolous trademark applications are out of control, as are the trademarks that have been granted because a letter of protest was NOT done or was NOT done in time. As someone who runs a small business that uses simple words or simple phrases on apparel I find the proposal to add an additional fee to the letter of protest filing appalling. Why wouldn't the applicant of the frivolous trademark be responsible for those costs? Especially in the event that the letter of protest is accepted!

The USPTO has been approving frivolous trademarks without researching to see if the words are already in common use. These trademarks impact my business by limiting the words and phrases that can be used on items listed online for sale. The frivolous trademarks, such as DOGS, classy, I'm the big brother, mistakes, I'm the big sister, football mom, baseball mom, soccer mom, and not today are just a few of a very long list of VERY frivolous trademarks that have been granted. These companies and in essence the USPTO are saying that by trademarking these phrases this is the FIRST time these words have been in use on apparel or items for sale online or in stores. I am unsure what DOGS were called before 2019, but am pretty sure that word has been around for a while - however, the trademark was just granted in 2019.

Please consider changing the examiner's trademark review process for apparel items to include an online search to rule out widespread use. By simply having the examiner use a search engine, like google, or searching the phrase on Amazon, Etsy or other online retailers, I feel, would make a world of difference in the amount of letter of protests coming through the office. If that isn't possible I would then propose instead of burdening small business owners with paying for letters of protest, please consider increasing the cost of filing a trademark to cover USPTO's operational costs - not the ones that are trying to defend these simple words and phrases from being used, as these are the ones helping defend the goal of the USPTO.

Sincerely,
Andrea Fast
Small Business Owner