

**From:** [Joan Igawa](#)  
**To:** [TM FR Notices](#)  
**Subject:** LOP Fees  
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To Whom It May Concern,

I am a small business owner, recently widowed with two boys ages 13 and 18. As an artist and entrepreneur, I find that running a business and taking care of the daily family needs is hard enough. Now, having to research frivolous trademarks to make sure my business does not get affected on a daily basis is becoming time-consuming and ridiculously difficult. Daily, I am seeing more commonly used everyday phrases and words are being trademarked. When I discovered that the USPTO is considering charging fees for filing LOPs I just about had a meltdown.

What I don't understand is that the USPTO appears to be not following its own rules and regulations as to what a trademark is and what it isn't and that more and more frivolous trademarks are being accepted. A good example of this is the registered trademark of the word "Dogs"(Registration Number 5843989; Serial Number 88299285; Registration Date August 27, 2019; Goods and Services IC 025 US 022 039). If one could do an online search for apparel with the word "dogs" in the design, one can see thousands of products that come up. The person or company that now owns that particular trademark can now force these thousands of business owners to take down their products in order to corner the market which is ridiculously unfair. A prime example of this particular bullying is the Aloha Poke Company that trademarked Aloha Poke, Registration Number 5123102; Serial Number 87049441; Registration Date Jan. 17, 2017. Aloha Poke Company is a restaurant business that went after other small businesses with the word "Aloha" in their name, including local Hawaiian mom and pop restaurants that had been in business for years and forced them to change their names because they claimed ownership to word "Aloha". It's an overreach and it's criminal in my opinion.

There are quite a number of everyday common words and phrases that have made it past the examining attorney's "complete examination" that has a registration number. Some of these registrants already feel like they own the mark and have already started issuing takedowns through sites such as [amazon.com](http://amazon.com) and [etsy.com](http://etsy.com).

The only way that concerned business owners like myself can do is to fight these frivolous trademarks by filing LOPs since the USPTO is clearly not following its own rules and regulations. Now, the proposed \$100-\$200 fees for each LOP submitted will just hurt us when what the USPTO should really do is to do their own due diligence by conducting a "complete examination" by following their own strict guidelines.

Please do not punish small business owners like me who are doing what we can to defend ourselves against these type of trademark bullies.

A Concerned Small Business Owner,

Joan Igawa