

**From:** [Jannie Pieterse](#)  
**To:** [Cain, Catherine](#); [TM FR Notices](#); [Fee.Setting](#); [FeesHelp](#); [USPTO Info](#)  
**Subject:** ATTENTION - Charging of fees for LOP submission  
**Date:** Wednesday, September 11, 2019 4:22:22 PM

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Hi USPTO,

It has come to my attention that you are considering to charge \$100 - \$200 for a LOP,

This will, in my opinion, be the worst decision possible regarding fair trade. This will, without doubt, break an already broken system.

Below, I highlight some steps that may help toward a more transparent and fair process.

With the huge growth of online design and print on demand trade, the design market has exploded, as well as the malevolent trademark trolls who register common marks as trademarks to merely force attacks on competitors who have been using similar designs for years. These competitors are not given a fair chance to defend themselves against these trolls.

There are many examples and unfortunately, many of these come to existence and cause countless unfair stock takedowns and cease and desists.

A good example of something like this would be the attached mark. T-shirt designs like this have been around for years, nothing in this mark is unique to this companies trade. I am shocked how this mark passed review.

Unfortunately, there are not enough people with enough knowledge to monitor the marks, and take action against these trademark trolls.

I have heard of some facebook groups trying their best to monitor this landscape, but they can only go so far in a process that is broken.

Proposal:

1. Increase the price of Mark registration significantly. If the mark is so important to the business they will be able to afford the high cost.
  - a. Some funds can be returned on successful registration.
2. Force the applicant to publicize their request for the trademark, this will open the process to more transparency.
3. Extend the waiting period for public feedback and LOPs.
4. Have a trial period for the mark ownership in which the mark is revokable pending various probationary conditions.
4. Broaden the scope of LOP conditions of rejection. Thus allowing for more decisive action against mark rejections.
5. Charge the mark applicant an additional fee if it has been found that they are attempting to register a frivolous mark. \$100 - \$500

6. Extend the trademark policies for complainants to raise complaints against mark owners acting in unfair ways regarding their mark. Penalties ranging from fines to mark deregistration.

8. Allow for an appeal process for if a mark owner has claimed a copy of his mark. This should happen before any takedown of cease and desists may be issued.

Again, please reconsider this disastrous consideration to charge fees for LOP submissions, It will, without doubt, lead to a mess.

Regards

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Jan Pieterse

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Husband to a Very Pretty Wife

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STATUS

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**Generated on:** This page was generated by TSDR on 2019-09-10 17:38:39 EDT**Mark:****US Serial Number:** 88605902**Application Filing Date:** Sep. 05, 2019**Filed as TEAS RF:** Yes**Currently TEAS RF:** Yes**Register:** Principal**Mark Type:** Trademark**TM5 Common Status****Descriptor:**

LIVE/APPLICATION/Awaiting Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and has not yet been assigned to an examiner.

**Status:** New application will be assigned to an examining attorney approximately 3 months after filing date.**Status Date:** Sep. 09, 2019**▼ Mark Information**

Expand All

**Mark Literal Elements:** None**Standard Character Claim:** No**Mark Drawing Type:** -**Description of Mark:** The mark consists of two dimensional trade dress in the form of words and phrases configured on a shirt that are all formatted in bold Helvetica font, are left justified, and contain no more than six lines of words or phrases with each line positioned on top of one another. The dotted outline of the shirt as well as the wording depicted on the shirt are not part of the mark and are intended to show only the position or placement of typical wording or phrases on a shirt.**▼ Goods and Services****Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "\*" identify additional (new) wording in the goods/services.

**For:** Shirts; T-shirts; Apparel, namely, shirts, tank tops, and sweatshirts**International Class(es):** 025 - Primary Class**U.S Class(es):** 022, 039**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Sep. 01, 2016**Use in Commerce:** Nov. 01, 2016**▲ Basis Information (Case Level)****▼ Current Owner(s) Information****Owner Name:** Obvious Shirts LLC**Owner Address:** 555 W Kinzie Street #3110  
Chicago, ILLINOIS UNITED STATES 60654**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** ILLINOIS**▼ Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Tyler B. Droste**Docket Number:** 18017.0002**Attorney Primary Email Address:** tyler.droste@gutweinlaw.com**Attorney Email Authorized:** Yes**Correspondent****Correspondent:** TYLER B. DROSTE