

From: [Brian S](#)
To: [Fee.Setting](#); [TM.FR Notices](#); [Cain, Catherine](#)
Subject: New fee for LOP's - or why do we need LOP's if USPTO followed their own guidelines
Date: Monday, September 9, 2019 10:36:12 PM

I have learned that the USPTO is considering charging a fee to file LOP's. Ironically, most of the 600 LOP's I'm familiar with were required to be filed because of the USPTO granting trademarks to words like "Dogs".

If the USPTO were to follow their own guidelines, most LOP's would not be necessary. And now, the government is considering charging a fee because the USPTO does not consistently follow its own guidelines???? Just... wow.

A TM is supposed to be a source identifier. But there are countless words in the dictionary that are TM'd. There was even a recent battle over Mama Bear. In what world is "Mama Bear" a source identifier of ANYONE???

Yet, there it was. Almost Trademarked. But good people spending their own money was required to fight this crap because, again, the USPTO is not consistently following their own guidelines.

What could possibly be the justification for charging to file an LOP? Most LOP's are required because the USPTO doesn't have the good sense to know that words like "United We Sweat" or "I Love Flowers" or "Rematch" are NOT SOURCE IDENTIFIERS!!!

Tell me: What company do you think of when you see "Just Do It"???
What about when you see "Woah" ??? Yeah, I don't either, but yet it is trademarked.

Charging me because you are not following your own guidelines??? That is some nerve....

As you can probably tell from the tone of this letter that I disagree with this new fee. What really should happen is that if the TM is found to be frivolous (eg. Dogs), then the applicant would have to pay an additional \$200. Or better yet, the Examining Attorney would have to pay it for allowing such nonsense to be trademarked.

I considered copying and pasting the appropriate parts of the USPTO guidelines that define what a TM is, but I figured if you don't follow it by now, you won't even read it.

Sincerely,

Concerned citizen and small business owner.