

**From:** [Susan Solnick](#)  
**To:** [TM FR Notices](#)  
**Subject:** New LOP Trademark Filing Charges  
**Date:** Monday, September 23, 2019 10:50:45 AM

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## To Whom It May Concern:

As a small business owner, online seller, and content creator, I am very concerned about the guidelines on the [uspto.gov](http://uspto.gov) website.

Trademarks for t-shirts (Class 025) are out of control when everyday words like Dog, Taco Tuesday, Mashed Potatoes, etc. are being trademarked.

Based on the USPTO's own guidelines, many are everyday words and should not be allowed to buy a trademark on those.

Very common words such as "Dogs", "have a registration number meaning that at a minimum they made it past the examining attorney's "complete examination" as defined by the Trademark Manual of Examining Procedure (TMEP).

In reality, these words should instead have received a "failure-to-function" refusal on the grounds that the word(s) does not function as a trademark or service mark and that has not happened.

Letters of Protest have been the tool to use to try and get a fair evaluation of a trademark violation. However, due to the mass LOP's that are being written due to frivolous trademarks the USPTO has proposed a \$100 fee for each. That cost to fight consistently improper trademarks makes LOPs almost impossible to file for small business owners that have not been properly protected by the USPTO.

I humbly ask that the Commissioner of Trademarks remove any consideration of charging a fee of \$100 per LOP until changes have

been made to ensure the TMEP is being followed.

Should it be that unique words or statements are trademarked, paying \$100 for a LOP makes more sense that there would be a chance to have the TM decision overturned

This \$100 fee will harm my ability as a small business owner to continually protest when the government agency whose duty it is to uphold the trademark laws is negligent in doing so.

Your consideration is greatly appreciated.

Sincerely,

Susan Solnick

Small Business Owner, Online Seller