

From: rnsas@frontier.com
To: [TM FR Notices](#)
Subject: Proposed Trademark Letter Of Protest Fee
Date: Tuesday, September 24, 2019 10:58:45 PM

To Whom It May Concern,

I would like to express my concern over an issue involving your agency that is affecting many small business owners at a growing rate, specifically those working in the print on demand business. There seems to be a growing trend of applicants seeking to register commonly used words and phrases for exclusive use. These applicants, if successful, then proceed to use that newly acquired trademark as a weapon, issuing take down notices to merchants who have been selling products using said phrase long before the applicant attempted to trademark it. If current guidelines employed by the USPTO are followed as intended, these frivolous applications never make it through the "complete examination" portion of the process. However, there are a growing number of these applications that hold a registration number, which means they "met" proper criteria, according to your attorneys. There is an ever-growing list of examples that show the failure of this process. As these applications move a step closer to registration, the only course of action available to small business owners such as myself is to file a Letter Of Protest (LOP). Not only does that take away from time that would be spent on the business, now the USPTO is proposing a fee of \$100 for electronic filing, or \$200 for paper filing of a LOP which, in my humble opinion, is a slap in the face to small business owners. If the examining attorneys were following the proper guidelines set forth by your agency, there would be no need for such a growing number of LOPs. Instead of adding fees to persons working to protect their businesses, I propose that you re-visit current practices of your examining attorneys to ensure that all protocols are being followed. It is completely understandable that there are expenses related to the process that have to be covered, but wouldn't it be more appropriate for these fees to be imposed upon those who file these frivolous applications? Not only would this be more fair to the small business owner, it would serve to eliminate the amount of these types of applications which surely add to the burden of the attorneys who are working to investigate the trademark applications.

I ask that you please reconsider this proposed fee, or at the very least transfer the burden of the fees away from the small business owner who is fighting to keep their business alive.

Thank you for your time,

Sheron Stewart