

**From:** [Karen Stuart](#)  
**To:** [TM FR Notices](#)  
**Subject:** Proposed LOP fee  
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As a small business owner, my recourse for ensuring frivolous trademarks won't be registered is to file a letter of protest (LOP) according to the USPTO.gov site and the TMEP 1715 Letters of Protest in Pending Application. Countless other small business owners and I have to take important time away from running our businesses in order to file LOP's for pending trademarks that incorrectly made it through the "complete examination" of the USPTO.

So, I'm sure you can understand my frustration when I discovered that the USPTO is proposing to begin charging a fee of \$100-\$200 for each LOP submitted by small business owners, which we have to file in order to prevent trademarks from being registered that clearly violate the guidelines set forth in the TMEP, U.S.C. and the C.F.R.

I'm asking that you remove any consideration of charging a fee for LOP's until changes have been made at the USPTO ensuring that the constitutional basis for trademarks is being followed.

Additionally, if a fee must be charged, I would propose charging a fee to applicants whose applied-for mark does not function as a mark and receives a "failure-to-function" refusal according to TMEP 904.07(b). This will help reduce the frivolous trademark applications being submitted to the USPTO.

Thank you  
Karen Stuart