

**From:** [Ron Watt](#)  
**To:** [TM FR Notices](#)  
**Subject:** Proposed LOP Fee  
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To whom it may concern:

As a business owner in the online sales space of Print on Demand (POD), our livelihood is dependent upon the sales of t-Shirts, mugs, and many other imprinted products. Consumers love to purchase items with phrases on them, whether simple or funny that they identify with, however this opens the doors to the transactional relationship between what the community refers to as "trademark trolls" and the USPTO.

The bad actors in this industry, will apply for a trademark for some of these common words or funny phrases as a BRAND. They file for a STANDARD CHARACTER MARK and once registered will issue takedowns across all platforms like Amazon ,Etsy, Walmart etc. Thousands of these "trademarks" have been approved and have affected countless small business and entrepreneurs all over the world. Please note, the international POD community consists of content creators from all over the world that contribute to the US economy in the form of both content and taxes.

The only line of defense for small business is the LETTER OF PROTEST LOP. This tool allows us to help direct the examining attorneys to evidence that would prove that the STANDARD CHARACTER MARK would not be serving as a BRAND. Personally, I don't understand why there is not extra level of scrutiny when it comes to the STANDARD CHARACTER MARK. In fact, the BRAND should required to have a registered trademark on file as a design mark before being able to apply for secondary marks. For example, Nike and Just Do It. The company at massive expense and marketing convinced the world to "Just Do It" and there is no mistaking who owns the mark.

Unfortunately, the goal of the bad actors is not to identify as a BRAND. The trademark is a tool to corner the market, and eliminate all competition. This is clearly evident in registered trademarks such as:

DOGS (Seriously Dogs is a brand?)

BIG SISTER or IM THE BIG SISTER

BEERS (Seriously?)

THANKSMAS (This is a common invented holiday celebrated by millions of people in the US because of the difficulty of aligning schedules - and you approved this as a BRAND - literally the definition of insanity)

This is a very small example of a list of 1000's. The proposed fee for an LOP is outrageous and would not be necessary if the examining attorneys are doing their job. A simple search of Etsy, Amazon, Red Bubble, and Google shopping would reveal countless items of "Evidence" To ask the POD community to pay \$100 to file an LOP because the examining attorneys aren't doing the proper research is offensive and greedy. The influx of LOPs in the last year is simply because the USPTO have been rubber stamping applications without due diligence.

The POD community will have to accept whatever you decide, but at least take pause and ask yourselves some questions. Are we truly "examining" these applications and their purpose. Look at the recent news of companies like Under Armour, in litigation with any company that uses the word Armor or Armory. Small businesses are being crushed from all sides due to registered trademarks that aren't serving as a BRAND or an overreach of the interpretation of their mark.

Thank you in advance for your consideration.

Ron Watt