To Whom It May Concern

It has been brought to my attention that there is a proposal to charge a fee of $100 or more for submitting evidence in a letter of protest for newly filed trademarks.

In the last 4-5 years millions of people have been able to own their own businesses online through selling on platforms such as Amazon, Etsy and Ebay for example, selling merchandise and products with common and funny phrases.

However what also has been on the rise has been many frivolous trademark applications of these common and ornamental phrases. By frivolous we mean phrases or words that people are trying to trademark without having any intention of creating a real brand behind it and for the sole intention of killing off competition selling on the aforementioned platforms.

This also leads to the issue of:-
- Stopping entrepreneurship by unfairly killing off competition
- Leaving the customer with few and poor options of products and services.
- Kills off innovation

These platforms (Amazon, Etsy and Ebay) do not get involved with legal issues between parties, so if a trademark holder reports another seller using their "frivolous trademark" in their designs or products, the platforms will effectively take down the "so called infringed listing" but more worrying that that, they could ban the seller for life from selling on the platform which effectively takes away their lively hood.

Sellers have to check daily on the USPTO website to see if new or even existing products are infringing. As you can see it's not a practical solution especially with thousands or even hundreds of products.

Below are a few example of "frivolous trademarks" that should not have been given a Trademark due to being ornamental, common use and not even having the evidence of use as a brand.

<table>
<thead>
<tr>
<th>Trademarked Phrase</th>
<th>Registration Number</th>
<th>Trademarked Phrase</th>
<th>Registration Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>OWL NIGHT LONG</td>
<td>5619113</td>
<td>I LOVE MY BIG SISTER</td>
<td>4749476</td>
</tr>
<tr>
<td>HIPPIE VIBE</td>
<td>5613418</td>
<td>FOOTBALL MOM</td>
<td>4783661</td>
</tr>
<tr>
<td>YES WEED CAN</td>
<td>5612526</td>
<td>VOLLEYBALL LIFE</td>
<td>5180887</td>
</tr>
<tr>
<td>BIG HAIR DON'T CARE</td>
<td>5608267</td>
<td>BASEBALL MOM</td>
<td>4783660</td>
</tr>
<tr>
<td>TIME TO BE</td>
<td>5585786</td>
<td>SOFTBALL MOM</td>
<td>4783658</td>
</tr>
<tr>
<td>OH SHIP!</td>
<td>5580170</td>
<td>I LOVE MY BIG SISTER</td>
<td>4749476</td>
</tr>
</tbody>
</table>
The only recourse sellers have at the moment is to file LOPs, once it is registered many
don’t have the money or resources to fight every frivolous trademark.

Charging $100 to file an LOP would be disastrous for the industry, we sellers just cannot
afford to pay this amount finding information that with all due respect should be the
responsibility of USPTO.

I hope that the USPTO reconsiders their decision in implementing the proposed fee. A
better alternative would be to add the cost to the original trademark application to cover
USPTO’s operational costs.

Yours Sincerely,
Zavhara Zoka
Business owner