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To: [Fee.Setting](#); [TM.FR Notices](#); [Cain, Catherine](#)
Subject: Fee Setting
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To Whom It May Concern:

It was recently brought to my attention that the **United States Patent and Trademark Office** (USPTO) is planning to levy a fee of **\$100-200** for filing a Letter of Protest. I would like to express my opposition against this matter.

While I understand that there is an involvement of time and effort in reviewing LOPs, it should also be noted, that a lot of frivolous Trademarks have been registered of late. These frivolous trademarks have been registered with the **sole intention** of heckling small business owners and threatening them with legal consequences if they don't shut their shops down.

As a small business owner myself, I fully understand the purpose of registering a trademark, *i.e.* - to help identify a source of goods and services. However, there are numerous examples of registered trademarks which are either single words or phrases that are extremely generic and used in everyday messaging. It frustrates me how USPTO could approve such weak trademark applications. This is resulting in the owners of such frivolous trademarks sending legal and takedown notices to small businesses for infringing their TM'ed word/ phrase.

Following are some examples of Trademarked words/ phrases, which I consider frivolous and believe should never have been approved by USPTO in the first place:

WAR - 5544499
I LOVE FLOWERS - 5752444
DUH - 5535385
GINGER - 5522713
NEIGHBORHOOD - 5505435
MERMAID - 5650588
SEND ME - 5644146
INDEPENDENCE DAY - 5100615
DOGS - 5843989
MISTAKES - 5544220

This is only a sample of a long list of frivolous TM'ed words/ phrases which are extremely generic and are being used by their respective owners to target small business owners like me and my peers.

Letters of Protest are our tools for opposing the registration of such weak and frivolous trademark applications. By trying to impose a hefty fee of \$100-200 for filing an LoP, USPTO would be throttling the voices who would otherwise like to protest such applications with substantial evidence that the applied for mark could not possibly qualify for being a registered TM.

For what it's worth: We help the examiner at USPTO in deciding the outcome of a trademark application through our letters of protest. In fact, I would like to suggest that the USPTO charges a penalty of \$100-200 for every Trademark application that is found to be frivolous in

nature.

I sincerely hope that USPTO would revoke the decision to charge a fee for filing LoPs and stand in support of countless small business owners like me, who uses LoP in their fight against frivolous trademark applications.

Yours sincerely
Davin Woods