

From: [Joseph Murphy](#)
To: [TM FR Notices](#)
Subject: Fee for filing Letter of Protest
Date: Monday, September 9, 2019 10:54:15 PM

Dear sirs and Madams:

As a small business owner, it has become extremely difficult to track frivolous trademarks and keep our products from being flagged by our platforms.

Our work is original art but I have dealt with one particular frivolous trademark that included attorney expenses and eventually out last resort was to go to court. The owners of these frivolous trademarks are very aware and are counting on small shops inability to afford that step. My particular incident involved a cute graphic design in which the phrase was "partially" trademarked. The TM owner refused to work with us claiming "Brand confusion". A total cop-out and mis-use of the trademark registration protection and basically gave her a monopoly on the use of "small fry" in any given situation. In fact, we have seen her take down listings outside of her class 025.

As a result I did an enormous amount of research and found so many instances of the USPTO approving TMs that are clearly against your own written policies, such as: biblical terms, common phrases, tm's that don't represent a brand but rather corner the market, and the famous TM's for phrases owned by other people's work, ie: quotes from songs and movies.

We as a country grew on the backs of small business. We will cease to exist if you penalize us for your errors in approving TM's.

I urge you to forgo the penalty to us fighting to stop TM's, that by your own manual should **not be approved** and penalize the people trying to use your agency as means to monopolize business.

Sincerely,

Joseph Murphy
owner Kidzmeapparel