

**From:** [Nicole Reese](#)  
**To:** [TM FR Notices](#)  
**Cc:** [Fee Setting: Cain, Catherine](#)  
**Subject:** Fee For Filing LOPS  
**Date:** Monday, September 30, 2019 10:43:08 PM  
**Attachments:** [mombie purple pink blue tank top mock up.png](#)  
[asphalt set.png](#)

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To whom it may concern,

It has come to my attention that there is a proposal to start charging \$100-\$200 for filing Letter Of Protests (LOP). It seems this fee was proposed because of the increased amount of LOPs that have been filed recently. Instead of charging for LOPs, maybe you should be looking in to the fact as to why there has been an increase in these filings.

The main reason for the increase in these LOP filings is simply because there have been a massive amount of frivolous trademarks being approved by the USPTO, especially in the class 025. We are finding that businesses are trademarking popular words or phrases to corner the market and prevent others from selling items with the word or phrase. These words or phrases are ornamental, not a brand! Their specimens that are submitted are clearly photo shopped, using fake hang tags, and are clearly ornamental. Here are some examples of frivolous marks that should have never been approved:

Mombie Serial #'s: 5176554, 5263655, 4698637

My phrase is Mombie with the definition -- see photo attached. This business, Fresh Apparel LLC, applied for this trademark & got approved in all of these classes: IC 025. US 022 039 IC 016. US 002 005 022 023 029 037 038 050 IC 021. US 002 013 023 029 030 033 040 050 IC 018. US 001 002 003 022 041. Mombie is NOT their brand name. Fresh Apparel LLC is. This should have NEVER been approved.

**YOU'RE KILLING ME!! , and YOU'RE KILLING ME!! SMALLS, and YOU'RE KICKING ME SMALLS: Serial #s 4115500, 4,784,191,4,115, 550,5,065,587,88/029,539**

My shirt set has the adult shirt with :You're Killin Me Smalls and the child shirt with: Smalls or Extra Smalls on it. This business, You're Killing Me Corp, should have NEVER owned this phrase as this another common phrase from the famous movie The Sandlot. William Argentino created this company just so he could trademark this phrase and corner a market. This is becoming a popular trend as well to get around the "trademark" system.

This list could go on forever. My point is, LOPs are a way for us small business owners to protect our business and rights to these common words or phrases. Too many of these frivolous trademarks are getting approved -- pretty soon, we won't have a business anymore. If you are looking to recoup costs, maybe you should be fining those who are filing the frivolous trademarks to begin with. Or upping the cost of the initial application. Those people should be punished, not the small business owners who know and understand what a true trademark means and how it functions.

Thank you for your time and I hope you reconsider this outrageous fee,  
Nicole Reese  
Owner  
Saltee Beaches Apparel & More LLC

[nicole@salteebeaches.com](mailto:nicole@salteebeaches.com)

[www.salteebeaches.com](http://www.salteebeaches.com)

[www.salteebeachesapparel.etsy.com](http://www.salteebeachesapparel.etsy.com)