

From: [Doug](#)
To: [Fee.Setting](#); [TM.FR Notices](#); [Cain, Catherine](#)
Subject: Letter of Protest Fees
Date: Friday, August 30, 2019 8:53:37 AM

Howdy! This letter is in response to the possible implementation of fees to file letters of protest (LOP) for trademark applications.

The burden to prove that a TM is valid should rest on the applicant. Requiring someone to pay to oppose it is unfair and may be impossible for many who cannot afford it, yet may be impacted by a TM being accepted that is clearly not used for Brand protection. There are hundreds of current TMs that are being abused by their owners to prevent even fair, ornamental usage, even though the usage does not infringe on the owners IP. This will **ONLY GET WORSE** if a fee is required to file a Letter of Protest.

1. I would like to suggest that a LOP remain free to file.
2. Trademark application fees be raised to a level that:
 - Discourages frivolous marks by raising the TM registraion fee to an amount that serious registrants would be more likely to invest in.
 - Encourages due diligence by those seeking true brand protection and IP protection.
 - A higher TM fee would allow for less LOPs needed and more time for examiners to perform their research.

Thank you,

Doug Rowe