

TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD

NAME OF APPLICANT: Prema Jyothi Light
NAME OF TRADEMARK: SHIMMERING BALLERINAS & DANCERS
SERIAL NUMBER: 76293326
FILING DATE OF APPLICATION: First filed July 9, 2001
Later refiled July 31, 2001
TRADEMARK EXAMINING ATTORNEY: Paul F. Gast, Law Office 106



08-08-2005

U.S. Patent & TMO's/TM Mail Rcpt Dt #11

SENT 8/08/05 VIA U.S. EXPRESS MAIL # ED 622755530 US for next-day delivery.

NOTICE OF APPEAL

Applicant hereby appeals to the Trademark Trial and Appeal Board from the Final Refusal of the Trademark Examining Attorney refusing registration.

This NOTICE OF APPEAL is accompanied by a check for \$100.00 for the filing fee, for Class 16, and also a separate REQUEST FOR PERMISSION TO APPEAL.

Respectfully submitted,



Prema Jyothi Light
Applicant, In Propria Persona

6834 S. University Blvd. #176
Centennial, CO 80122
(303) 367-1335

08/11/2005 NPHAM1 00000002 76293326
01 FC:6403 100.00 DP

Dated: August 8, 2005

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REQUEST FOR PERMISSION TO APPEAL

This is a request for permission to appeal on the basis of the surface Mail Date of the Final Refusal, rather than the Creation Date or email date of the Final Refusal.

I tried to file this appeal via TEAS today, but met with refusal by the automatic system on the basis of the Creation Date of the Final Refusal Document of 1/19/05, which would have meant that this Appeal should have been filed by 7/19/05.

However, my records show an actual surface Mail Date for the Final Refusal of 2/09/05, and I thought this meant that I had until 8/09/05 to file this Appeal.

I waited until the last minute to send in this Notice of Appeal, due to financial difficulties, and my inability to afford the needed \$100 filing fee earlier than today.

Also, electronic TARR records as of today do not reflect that I am overdue or that the Mark has been abandoned.

It has truly never been my intention to abandon this Mark, and I earnestly wish to pursue this Appeal, though it may not be successful. The Mark is in use and I feel it is an excellent Mark, at least worthy of review. I sincerely request permission from the TTAB to submit an Appeal as of this date.

Attached is a NOTICE OF APPEAL and check for \$100.

Respectfully submitted,

A handwritten signature in cursive script that reads "Prema Jyothi Light". The signature is written in black ink and is positioned above the printed name and title.

Prema Jyothi Light
Applicant, In Propria Persona

6834 S. University Blvd. #176
Centennial, CO 80122
(303) 367-1335

Dated: August 8, 2005

EXPRESS MAIL CERTIFICATE

TRADEMARK: SHIMMERING BALLERINAS & DANCERS

APPLICANT: PREMA JYOTHI LIGHT

PAPERS BEING FILED: REQUEST FOR PERMISSION TO APPEAL
AND NOTICE OF APPEAL

SERIAL NUMBER: 76293326

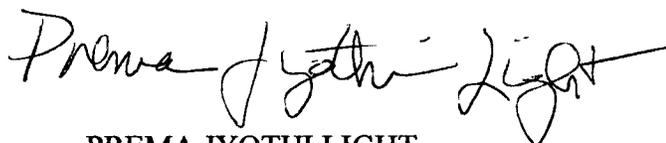
EXPRESS MAIL NO: ED 622755530 US

DATE OF DEPOSIT: AUGUST 8, 2005

I HEREBY CERTIFY THAT THE ABOVE-NAMED PAPERS ARE BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE, "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE, UNDER 37 CFR 1.10 ON THE DATE SHOWN ABOVE, AND IS ADDRESSED TO:

TTAB
COMMISSIONER OF TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313

RESPECTFULLY,



PREMA JYOTHI LIGHT

DATED: August 8, 2005

