TTAB

In the United States Patent & Trademark Office

NAME OF APPLICANT:	Prema Jyothi Light
NAME OF TRADEMARK:	SHIMMERING BALLERINAS & DANCERS
SERIAL NUMBER:	76293326
FILING DATE:	First filed July 9, 2001, later refiled July 31, 2001
DATE OF TTAB DECISION APPEALED FROM:	December 13, 2013
DATE OF EXTENSION OF TIME TO FILE NOTICE OF APPEAL, GRANTED BY USPTO OFFICE OF SOLICITOR:	May 15, 2014
DATE OF THIS DOCUMENT:	May 13, 2014
EXAMINING ATTORNEY:	Linda Lavache, Esq., Law Office 106

TRADEMARK PROCESS
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2014 MAY 13 A 10: 07

NOTICE OF APPEAL
TO UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT
OF A DECISION BY
THE USPTO TRADEMARK TRIAL & APPEAL BOARD

Prema Jyothi Light, Applicant, hereby notifies the Office of the Solicitor for the United States Patent & Trademark Office (USPTO) that she is appealing the Decision of the Trademark Trial & Appeal Board (TTAB), dated December 13, 2013, denying registration to her Trademark for SHIMMERING BALLERINAS & DANCERS, Serial No. 76293326, to the United States Court of Appeals for the Federal Circuit.

Applicant Light hereby requests that the Office of the Solicitor prepare a Certified List of the Record for this case, and send it to the U.S. Court of Appeals, Federal Circuit, for docketing of the case.

05-13-2014
U.S. Patent and Trademark Office #72

This NOTICE OF APPEAL is timely, in accord with 37 C.F.R. § 2.145(d), which states that the time for filing the NOTICE OF APPEAL is two months from the date of the decision of the TTAB or the Director, whichever is later. 37 C.F.R. § 2.145(e) further provides that the Director may extend the time for filing an appeal for good cause shown if requested in writing before the expiration of the period for filing an appeal.

37 C.F.R. § 2.146 further provides that Petition may be taken to the Director to invoke the supervisory authority of the Director in appropriate circumstances, and in an extraordinary situation, when justice requires and no other party is injured thereby, and that such petition should be filed within two months of the date of issuance of the action from which relief is requested.

Applicant Light timely filed a formal Petition to the Director on February 13, 2014, under both 37 C.F.R. § 2.145(e) and § 2.146, invoking the supervisory authority of the Director, requesting an extension of time until May 15, 2014, to file the NOTICE OF APPEAL, citing extraordinary circumstances.

Some dispute followed, with the USPTO Office of Petitions, regarding whether a formal Petition to the Director was proper, for an extension of time to file the NOTICE OF APPEAL, or whether this should be handled without a formal Petition to the Director, by the USPTO's Office of the Solicitor, on behalf of the Director.

(Weather note relative to the request for extension of time: Yesterday, May 12, 2014, there was a snowy blizzard in the Denver area, verifiable by weather reports. We can find ourselves under severe weather conditions here, up until early June.)

However, on March 26, 2014, Applicant Light's request for an extension of time until May 15, 2014, to file the NOTICE OF APPEAL, was granted by the USPTO Office of the Solicitor. It was decided by the Office of the Solicitor, on behalf of the Director, that this request for extension of time should be granted, without the need of a formal Petition to the Director, and Applicant Light's Petition Fee was refunded to her.

This NOTICE OF APPEAL is hereby timely served in advance of May 15, 2014, by personal messenger, on both the Office of the Solicitor for the USPTO, and the TTAB.

Dated: May 13, 2014

Respectfully submitted,
(original signed)
Prema Jyothi Light,
Applicant, *pro se*

CERTIFICATE OF SERVICE

In the matter of Prema Jyothi Light vs. TTAB, Re: Trademark SHIMMERING BALLERINAS & DANCERS, Serial No. 76293326:

I, the undersigned, hereby affirm that copies of the document, NOTICE OF APPEAL, have been caused to be served upon the following, by personal messenger, on the date specified hereinbelow:

Office of the Solicitor
United States Patent and Trademark Office
Madison Building East, Room 10B20
600 Dulany Street
Alexandria, VA 22313-1450

Trademark Trial & Appeal Board
United States Patent and Trademark Office
Madison Building East,
Concourse Level Room C 55
600 Dulany Street
Alexandria, VA 22313-1450

Dated: May 13, 2014

Respectfully,
(original signed)
Prema Jyothi Light
Applicant, *pro se*

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