

United States Patent and Trademark Office
Trademark Trial and Appeal Board
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Mailed: April 5, 2013

In re Prema Jyothi Light

Serial No. 76293326

Serial No. 76293327

Filed: 7/31/2001

PREMA JYOTHI LIGHT
12000 E 16TH AVE. #301,
AURORA, CO 80010

By the Trademark Trial and Appeal Board:

Applicant's request for remand, filed March 28, 2013, is noted. Applicant essentially claims that the examining attorney's "subsequent final Office action," issued on March 9, 2013, should not have been a "final" action, because applicant's submission of a new drawing should have been treated as raising a new issue. A review of the file shows that applicant had previously requested to amend her drawing on March 6, 2003 and on December 16, 2008, and that, in the Office action issued on May 26, 2012, applicant was advised that these amended drawings were not acceptable. In response, applicant then submitted, on January 28, 2013, a third amended drawing. The examining attorney found this third drawing unacceptable in her March 9, 2013 Office

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action; it is this third drawing that applicant contends has raised a new issue.

The submission of this drawing does not raise a new issue. The question of the acceptability of the drawing has been an issue in this proceeding, as noted in the Board's August 8, 2011 remand order. The submission of new drawings to address the requirement for an acceptable drawing does not raise a new issue. Moreover, it is noted that the appeal in this proceeding was filed in August 2005, almost nine years ago, and that there have been numerous requests for reconsideration and remand during that time. At some point examination must come to an end, and that point has been reached in this application. Applicant's request for remand is denied, and no further requests for remand (or reconsideration) will be entertained. It is noted that there was previous briefing of this appeal several years ago, with applicant filing an appeal brief on May 30, 2006, the examining attorney filing a brief on January 14, 2008, and applicant filing a reply brief on February 5, 2008.

However, in view of subsequent developments, including a remand by the Board for the examining attorney to consider whether an additional ground for refusal should be raised, the Board believes that it will be more helpful for applicant and the examining attorney to file new, as opposed to supplemental, briefs. Accordingly, the briefs that were

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previously filed will be given no consideration. Applicant is allowed sixty days from the mailing date of this order in which to file her appeal brief, based on the issues that have been delineated in the March 9, 2013 Office action.