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

Proceeding	76293327
Applicant	Prema Jyothi Light
Applied for Mark	SHIMMERING RAINFOREST
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Submission	UPDATE: APPLICANT NOTES THE QUICK CORRECTION OF TMEP VIOLATIONS BY THE USPTO FOR SHIMMERING RAINFOREST
Attachments	SHRF UPDATE RE QUICK CORRECTN TMEP VIOL 060811.pdf (2 pages) (9610 bytes)
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Date	06/08/2011

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

NAME OF APPLICANT: Prema Jyothi Light

NAME OF TRADEMARKS: SHIMMERING RAINFOREST

SERIAL NUMBERS: 76293327

FILING DATE OF APPLICATIONS: First filed: July 9, 2001
Later refiled: July 31, 2001

DATE OF THIS DOCUMENT: June 8, 2011

EXAMINING ATTORNEY: Paul F. Gast, Esq., Law Office 106

**UPDATE: APPLICANT NOTES THE QUICK CORRECTION OF
TMEP VIOLATIONS BY THE USPTO
FOR SHIMMERING RAINFOREST**

**1. UPDATE ON ISSUE COMPLAINED OF, RE DELETION OF ALL ONLINE
TTABVUE RECORDS FOR TRADEMARK SHIMMERING RAINFOREST.**

At 3:30 p.m. MDT on Wednesday, June 08, 2011, Applicant went online to check the status of her cases in TTABVUE, and noted that the problem of deletion of the accessibility of the records for her cases had been corrected.

Applicant did image captures to document the existence of this problem, for each document listed in TTABVUE, for each of the two Trademarks, on June 4, 2011. These image captures are available as evidence of the existence of this problem, if needed.

Only one document title (TTAB Order dated March 4, 2011, in the document list for SHIMMERING BALLERINAS & DANCERS), when clicked on, brought up the actual document onscreen. Each other document title, including ALL of the documents listed for SHIMMERING RAINFOREST, when clicked on, just brought up the line, "There is no image for this record."

Please note that Applicant does know how to use TTABVUE, and this problem was not due to any inability on her part to use this online system. Someone at the USPTO took all of her records offline. Whoever it was apparently put them back online quite quickly, after receipt of Applicant's complaint about it.

Applicant only became aware of this problem in early June. She also specifically checked online again on June 3 and 4, 2011, while she was working on other documents for her case, so it was a problem for at least several days' duration, possibly several weeks.

Applicant suggests that USPTO log-on records should be checked to see who, in a capacity to be able to take the records offline, logged onto the system and into her case files, since the TTAB Order was entered on March 4, 2011, for long enough to make over 100 case documents unavailable for public viewing, and who logged onto the system to correct this problem between the time at which her documents protesting this condition were received on June 6, 2011, and the above-mentioned time of 3:30 p.m. on June 8, 2011. This might shed a little light on the situation.

If those with the access to view the log-on records report "no one", this could be due to the penalties listed in 18 USC § 2071, referenced by TMEP § 109, for such tampering, which include up to three years of imprisonment!

However, Applicant is glad to note that this distressing situation has been so quickly corrected.

Dated: Wednesday, June 8, 2011 Very respectfully submitted,

/ Prema Jyothi Light /

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