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# Kluwer Trademark Blog

## USA: In re Light, United States Court of Appeals, Federal Circuit, No. 2014-1597, 7 October 2016

Cheryl Beise (Wolters Kluwer Legal & Regulatory US) · Monday, October 24th, 2016

The Trademark Trial and Appeal Board properly affirmed a trademark examining attorney's refusal to register two proposed marks consisting of prominent wording—"SHIMMERING BALLERINAS & DANCERS CHARACTER COLLECTION" and "SHIMMERING RAINFOREST CHARACTER COLLECTION," respectively—adjacent to three columns of hundreds of terms that appeared to be story titles or character names, the U.S. Court of Appeals for the Federal Circuit has decided. Substantial evidence supported the conclusion that the applied-for marks failed to function as unitary trademarks and that they had not acquired distinctiveness for the applicant's cartoon prints, paper dolls, and coloring book products. The applicant's proposed amendments to the drawings the drawings also were properly refused because they constituted impermissible material alterations of the proposed marks (In re Light, October 7, 2016, Lourie, A.).

A [full summary](#) of this case has been published on [Kluwer IP Law](#).

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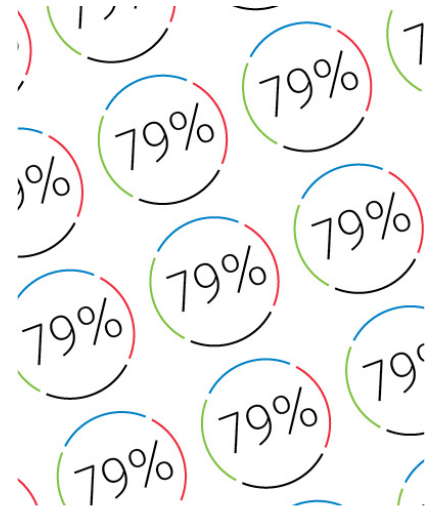
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