

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

In re Application of:	SYNNEX Information)	
	Technologies, Inc.)	
Application Serial No.	76/007,320)	
Filed:	March 20, 2000)	Examiner: Andrew J. Benzmilller
Trademark:	MISCELLANEOUS)	Law Office: 113
	DESIGN)	

Box TTAB NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

TRADEMARK TRIAL AND
APPEAL BOARD
02 AUG 30 PM 8:44

**REQUEST TO REMAND APPLICATION TO THE EXAMINING ATTORNEY FOR
CONSIDERATION OF ADDITIONAL EVIDENCE UNDER 37 CFR §2.142(d)**

To the Trademark Trial and Appeal Board:

Applicant is in receipt of an Office Action dated June 26, 2002, issued by the Examining Attorney for the above-referenced trademark application. The Office Action was issued in response to Applicant's Request for Reconsideration for the above-referenced trademark. In the Office Action, the Examining Attorney accepted Applicant's amended identification of goods and services but objected to the specimens provided for International Class 9.

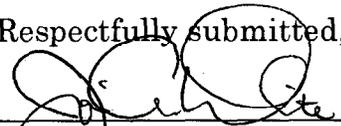
Applicant requests that the Board suspend further proceedings with respect to this appeal, and remand the case to the Examining Attorney, pursuant to 37 CFR §2.142(d) for consideration of Applicant's submission of supplemental specimens in International Class 9.

Applicant believes the submission of supplemental specimens will resolve the Examining Attorney's objections to the application and will render the appeal moot. The Examining Attorney, Mr. Andrew J. Benzmilller, agreed to consider Applicant's supplemental specimens in a telephone conference with the undersigned counsel for Applicant, Joi A. White, on Tuesday, August 20, 2002. Applicant believes this agreement between the Examining Attorney and Applicant constitutes good cause for remand of the application to the Examining Attorney for consideration of the specimens following the notice of appeal. TMEP §1504.05, TBMP §1207.02. A Response to the June 26, 2002, Office Action and the Applicant's Supplemental Evidence are filed with this Request for Remand.

Applicant respectfully draws the Board's attention to the fact that this Request for Remand is timely filed prior to Applicant's August 29, 2002 deadline for filing a Brief in connection with its Appeal. Applicant believes that no fees are required to process this request. However, if additional fees are required, please debit our Deposit Account No. 06-0600.

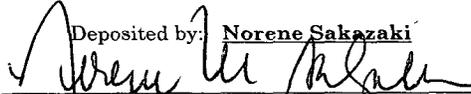
Dated: August 22, 2002

Respectfully submitted,


Jefferson F. Scher, Esq.
Joi A. White, Esq.
CARR & FERRELL LLP
2225 East Bayshore Road, Suite 200
Palo Alto, California 94303
TEL (650) 812-3400
FAX (650) 812-3444

CERTIFICATE OF MAILING

I hereby certify that this paper and/or fee is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on August 22, 2002.

Deposited by: Norene Sakazaki

(Signature of person mailing paper and/or fee)

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SYNEX Information Technologies, Inc.
Serial No. 76/007,320
Mark: MISCELLANEOUS DESIGN
Class: Int. Cls. 9, 35, 36, 37, 38, 40, 41, 42 Law Office: 113
Filed: March 20, 2000 Examiner: Andrew J. Benzmiller

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RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. §2.64

Sir:

This Response is filed in response to the Office Action dated June 26, 2002. In that Action, the Examining Attorney (1) required Applicant to submit acceptable supplemental specimens showing actual use of the mark on or in connection with a full line of computer and network software in International Class 9, under TMEP § 804.03(a); and (2) approved the Applicant's amended identification of goods and services.

Supplemental Specimen. The Examining Attorney has required that Applicant submit further evidence of its "full line of computer and network software."

In response to this request, in the interest of avoiding submitting a voluminous specimen, Applicant originally selected and submitted evidence of only 5 of its more than 800 computer and network software programs spanning 13

categories. The Examining Attorney has requested further evidence of Applicant's use of the mark in connection with its software. Accordingly, Applicant is attaching Exhibit A to this Response, a supplemental specimen which shows a wide range of computer and network software that serves such diverse purposes that it would be impractical to delineate the function and field of each one.

Applicant's software is listed in 13 categories:

CATEGORY OF SOFTWARE	NUMBER OF TITLES AVAILABLE
1. Computer Based Training	10
2. Creativity Application	100+
3. Education Application	16
4. Game/Entertainment	39
5. Home/Lifestyle Application	8
6. Internet Application	100+
7. Network Management Tools:	100+
8. Operating System	100+
9. Productivity Applications	100+
10. Programming Tools	100+
11. Reference/Data Source	53
12. Software Suite	23
13. Software Utilities	100+

The supplemental specimen shows the first page of titles available in each category, as well as the number of titles available in each category, and Applicant trusts this will be sufficient to meet the Examining Attorney's requirement of demonstrating use of the mark in connection with a "full line of computer and network software."

Attached hereto as Exhibit B is Applicant's declaration in support of the supplemental specimen for International Class 9 goods, pursuant to 37 C.F.R. § 2.59(a), TMEP § 905.10.

Sufficiency of Specimen for Class 9 Goods. The Examining Attorney has raised a new issue in his June 26, 2002 office action: whether the submitted specimens evidence use of Applicant's mark in connection with Class 9 goods. While there is no single specimen available that shows Applicant's use on the broad range of software it provides in connection with its mark, Applicant has submitted evidence on three occasions that, when considered together, demonstrate use on its computer and network software.

Applicant previously submitted a copy of its mark as it appears on the shipping labels for its products in its original application for registration and a copy of the label is attached hereto as Exhibit C. It is well-accepted that shipping labels in connection with goods are acceptable evidence of use. TMEP §904.04(a), states: "Shipping or mailing labels may be accepted if they are affixed to the goods or to the containers for the goods and if proper trademark usage is shown." Thus, Applicant trusts that the shipping label specimen demonstrates use of the mark in commerce on Applicant's software that is sold and shipped. The only outstanding issue is a showing of the many varieties of software Applicant is selling and shipping.

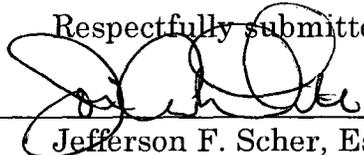
The supplemental specimens submitted by Applicant consist of print-outs from Applicant's website at <http://www.synnex.com>, where customers can login and purchase a wide variety of computer and networking software (as well as other products described in the application). These specimens show the range of computer and network software that Applicant is selling and shipping under the SYNEX label and support Applicant's identification of "a full line of computer and network software." Considered as a whole, Applicant believes these specimens support its application for goods in Class 9.

The Examining Attorney is correct in that Applicant sells computer and networking software manufactured by other companies. However, it is accepted that multiple marks may appear on a single product. ("In addition to the situation of a product having multiple marks owned by one firm, a product may also have multiple marks owned by different firms. The most common example is the familiar manufacturer's mark and merchant's mark combination in which one product has one mark identifying the manufacturer and another mark identifying the retail merchant. Such multiple marking is entirely appropriate so long as the separate identifying function of both marks is apparent to customers, either explicitly or implicitly." J. McCarthy, *McCarthy on Trademarks and Unfair Competition* §7.8, at 7-10 (4th ed. 1998) Accordingly, the appearance of the manufacturer's mark on a product does not invalidate the use of Applicant's trademark.

In view of the foregoing, Applicant believes that the application is now in condition for publication and such action is solicited.

Dated: August 22, 2002

Respectfully submitted,



Jefferson F. Scher, Esq.

Joi A. White, Esq.

CARR & FERRELL LLP

2225 East Bayshore Road, Suite 200

Palo Alto, California 94303

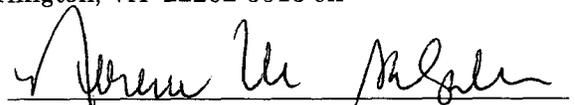
Tel. (650) 812-3400

Fax (650) 812-3444

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Deposited by: Norene M. Sakazaki



(Signature of person mailing paper and/or fee)

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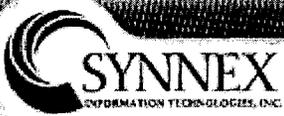
of Items in Shopping Cart 0

Search Method: Category Search

Search Criteria: Category: Software > Computer Based Training > Manufacturer: All Manufacturer

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

Product Description Comment	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX SKU/ SYNNEX Item	Mfr./ Mfr.Part#	Gov't Pricing	Total Availability SYNNEX	OrderQty SYNNEX	Price SYNNEX
ONL Press Access 2K Step by Step Coursew		932328 815-00013	MICROSOFT 815-00013		0	<input type="text"/>	\$10.29
932328 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.							
ONL Press Word 2K Step by Step Coursewar		932370 820-00014	MICROSOFT 820-00014		0	<input type="text"/>	\$10.29
932370 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.							
ONL Press Word 2K Step by Step Intrctv		932372 820-00032	MICROSOFT 820-00032		0	<input type="text"/>	\$13.79
932372 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.							
OAE Press Outlook 2K Step by Step Course		932382 821-00012	MICROSOFT 821-00012		0		Call
932382 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.							
ONL Press Outlook 2K Step by Step Course		932383 821-00014	MICROSOFT 821-00014		0	<input type="text"/>	\$10.29
932383 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.							
OAE Press Outlook 2K Step by Step Intrct		932384 821-00016	MICROSOFT 821-00016		0		Call
932384 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.							
ONL Press FrontPage 2K Step by Step Cour		932427 827-00016	MICROSOFT 827-00016		0	<input type="text"/>	\$10.29
932427 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.							
ONL Press Web Publishing 2K Step by Step		932428 827-00020	MICROSOFT 827-00020		0	<input type="text"/>	\$13.79
932428 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.							
OLC Press Office 2K Step by Step Intrctv		932435 834-00061	MICROSOFT 834-00061		0	<input type="text"/>	\$12.88



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of Items in Shopping Cart 0

Search Method: Category Search

Search Criteria: Category: Software > Creativity Application > All Sub Categories
Manufacturer: All Manufacturer

Back to Catalog Search

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

Search Results : 1 to 50 out of 100

Your search has returned more than 100 results. Please refine your search for better results.

Gov't Pricing None Selected ▾

Product Description Comment	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX SKU/ SYNNEX Item	Mftr./ Mftr.Part#	Total Availability SYNNEX	OrderQty SYNNEX	Price SYNNEX
DVD software for single white box		186848 100-V0166-INT	ATI 100-V0166-INT	0		Call
Visio Pro 2002 Win32 All Languages MVL		196571 D87-00771	MICROSOFT D87-00771	0		Call
196571 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.						
Visio Pro 2002 Win32 All Languages MVL		196572 D87-00771	MICROSOFT D87-00771	0		Call
196572 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.						
Visio Pro 2002 Win32 All Languages MVL		196573 D87-00771	MICROSOFT D87-00771	0		Call
196573 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.						
Visio Pro 2002 Win32 All Languages MVL		196574 D87-00771	MICROSOFT D87-00771	0		Call
196574 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.						
Visio Pro Win32 All Languages Lic/SA Pac		196575 D87-01057	MICROSOFT D87-01057	0		Call
Visio Pro Win32 All Languages Lic/SA Pac		196577 D87-01057	MICROSOFT D87-01057	0		Call
Visio Pro Win32 All Languages Lic/SA Pac		196578 D87-01057	MICROSOFT D87-01057	0		Call



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Search Method: Category Search

Search Criteria: Category: Software > Education Application > All Sub Categories
 Manufacturer: All Manufacturer

[Back to Catalog Search](#)

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

Product Description Comment	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX SKU/ SYNNEX Item	Mfr./ Mfr.Part#	Gov't Pricing	Total Availability SYNNEX	OrderQty SYNNEX	Price SYNNEX
Software DVD Kit (30 CD Drivers)		156569 100-V01066	ATI 100-V01066		24		Call
WEB LEARNING STUDIO V5.2-CD W9		639315 WAW52D02	MACROMEDIA WAW52D02		N/A		N/A
WEB LEARNING STUDIO V5.2-W9X/N		639316 WAW52D12	MACROMEDIA WAW52D12		N/A		N/A
WEB LEARNING STUDIO V5.2-W9X/N		639317 WAW52D17	MACROMEDIA WAW52D17		N/A		N/A
OAE Creative Writer 2.0		931761 265-00086	MICROSOFT 265-00086		0		Call
931761 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.							
R Magic Sch Bus Solar System 1.0 Win CD		931833 296-00044	MICROSOFT 296-00044		0		\$6.35
R Magic Sch Bus Dinosaurs 1.0 CD Jwl Cse		932022 419-00067	MICROSOFT 419-00067		0		Call
OAE MSB Animals 1.0		932533 B56-00015	MICROSOFT B56-00015		0		Call
932533 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.							
R Magic Sch Bus Concert 1.0 Mac/Win CD		932971 E09-00001	MICROSOFT E09-00001		0		\$12.64



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Go To Shopping Cart

of Items in Shopping Cart **0**

Search Method: Category Search

Search Criteria: Category: Software > Game / Entertainment > All Sub Categories
Manufacturer: All Manufacturer

Back to Catalog Search

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

		Gov't Pricing	None Selected <input type="button" value="v"/>			
Search Results : 1 to 39 out of 39						
Product Description	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX SKU/ SYNNEX Item	Mfr./ Mfr.Part#	Total Availability SYNNEX	OrderQty SYNNEX	Price SYNNEX
Age of Empires II: Gold 2.0		174237 559-00232	MICROSOFT 559-00232	0	<input type="text"/>	\$31.25
R Age of Empires II Gold 2.0 CD Gold		174238 G11-00015	MICROSOFT G11-00015	0	<input type="text"/>	\$31.10
R Age of Empires Gold Ed 1.0		174239 559-00075	MICROSOFT 559-00075	0	<input type="text"/>	\$15.54
R Bicycle Board Games 1.5 CD		174246 E74-00016	MICROSOFT E74-00016	0	<input type="text"/>	\$15.54
R Bicycle Card Games 1.0 CD		174247 I06-00007	MICROSOFT I06-00007	1	<input type="text"/>	\$15.54
R Bicycle Casino 1.5 CD		174248 D62-00034	MICROSOFT D62-00034	0	<input type="text"/>	\$15.54
R BizTalk Srvr Ent 2K CD Eval 1 Proc Lic		174249 F52-00029	MICROSOFT F52-00029	0	<input type="text"/>	\$9.47
R BizTalk Sever Partner 2002 CD 1 Proc L		174250 L54-00001	MICROSOFT L54-00001	0	<input type="text"/>	\$737.33
R Classic Flight Sim Coll 1.0 CD		174251 M99-00006	MICROSOFT M99-00006	0	<input type="text"/>	\$15.86



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of Items in Shopping Cart

Search Method: Category Search

Back to Catalog Search

Search Criteria: Category: Software > Home / Lifestyle Application > All Sub Categories
 Manufacturer: All Manufacturer

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

Search Results : 1 to 8 out of 8

Gov't Pricing

None Selected

Product Description	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX	Mfr./	Total	OrderQty	Price
		SKU/ SYNNEX Item	Mfr.Part#	Availability SYNNEX	SYNNEX	SYNNEX
<u>Norton CleanSweep 2002 6.0</u>		196384 07-00-03290	SYMANTEC 07-00-03290	2	<input type="text"/>	\$24.49
<u>QUICKEN 2001 BASIC-CD W9X/W200</u>		613284 256100	INTUIT 256100	N/A		N/A
<u>QUICKEN 2001 DELUXE-CD MAC</u>		613288 256102	INTUIT 256102	N/A		N/A
<u>QUICKBOOKS PRO 2001 CD-W9X/NT</u>		617533 257013	INTUIT 257013	N/A		N/A
<u>TURBOTAX 2000 CD W9X/NT</u>		636085 242016	INTUIT 242016	N/A		N/A
<u>TURBOTAX HOME AND BUS-2000 CD</u>		636087 242043	INTUIT 242043	N/A		N/A
<u>TURBOTAX DLX 2000 CD MAC</u>		636090 242066	INTUIT 242066	N/A		N/A
<u>R Streets Trips 2002 CD</u>		932482 B17-00041	MICROSOFT B17-00041	2	<input type="text"/>	\$31.74

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of Items in Shopping Cart 0

Search Method: Category Search

Search Criteria: Category: Software > Internet Application > All Sub Categories
 Manufacturer: All Manufacturer

[Back to Catalog Search](#)

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

Search Results : 1 to 50 out of 100

Your search has returned more than 100 results. Please refine your search for better results.

Gov't Pricing

None Selected ▼

Product Description	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX SKU/ SYNNEX Item	Mfr./ Mfr.Part#	Total Availability SYNNEX	OrderQty SYNNEX	Price SYNNEX
Correspondence Manager for NT 1 CAL		154632 118082-B21	COMPAQ 118082-B21	0	□	\$5.56
Correspondence Manager for NT 1 000 CAL		154633 118083-B21	COMPAQ 118083-B21	0	□	\$2,894.65
Correspondence Manager for NT 10 000 CA		154634 118084-B21	COMPAQ 118084-B21	0	□	\$20,262.55
Correspondence Manager for NT Unlimited		154635 118085-B21	COMPAQ 118085-B21	0	□	\$121,575.30
Correspondence Manager for NT Server St		154672 148313-B21	COMPAQ 148313-B21	0	□	\$691.94
Correspondence Manager for NT 100 CALs		154673 148314-B21	COMPAQ 148314-B21	0	□	\$463.14
Correspondence Manager for NT 500 CALs		154674 148315-B21	COMPAQ 148315-B21	0	□	\$1,736.79
Correspondence Manager for NT 5 000 CAL		154675 148316-B21	COMPAQ 148316-B21	0	□	\$11,578.60



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of Items in Shopping Cart 0

Search Method: Category Search

Search Criteria: Category: Software > Network Management Tools > All Sub Categories
 Manufacturer: All Manufacturer

[Back to Catalog Search](#)

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

Search Results : 1 to 50 out of 100
 Your search has returned more than 100 results. Please refine your search for better results.

Gov't Pricing None Selected

Product Description	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX SKU/ SYNNEX Item	Mftr./ Mftr.Part#	Total Availability SYNNEX	OrderQty SYNNEX	Price SYNNEX
HP OpenView Network Node Manager 250 NT		128151 J1120AA	HEWLETT PACKARD J1120AA	0	<input type="checkbox"/>	\$4,140.07
Cluster Kit Proliant Cluster Series F Md		157123 309816-B21	COMPAQ 309816-B21	6	<input type="checkbox"/>	\$101.47
OV Omniback 4.x Cell M Windows		161902 B6961AA	HEWLETT PACKARD B6961AA	0	<input type="checkbox"/>	\$824.70
Secure Path for Windows - RA4x00 (5 agen		163305 231316-B21	COMPAQ 231316-B21	0	<input type="checkbox"/>	\$8,336.59
Secure Path for Windows - RA4x00 (10 a		163308 231317-B21	COMPAQ 231317-B21	0	<input type="checkbox"/>	\$15,005.87
Secure Path for Windows - RA4x00 (25 a		163310 231318-B21	COMPAQ 231318-B21	0	<input type="checkbox"/>	\$33,763.20
Secure Path for Windows - RA4x00 (50 a		163312 231319-B21	COMPAQ 231319-B21	0	<input type="checkbox"/>	\$60,773.76
Secure Path for Netware - RA4x00 (sing		163313 222411-B21	COMPAQ 222411-B21	0	<input type="checkbox"/>	\$1,852.58



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Search Method: Category Search

Search Criteria: Category: Software > Operating System > All Sub Categories
Manufacturer: All Manufacturer

[Back to Catalog Search](#)

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

Search Results : 1 to 50 out of 100
 Your search has returned more than 100 results. Please refine your search for better results.

Gov't Pricing

None Selected ▼

Product Description Comment	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX SKU/ Mfr./ SYNNEX Item Mfr.Part#	Total Availability SYNNEX	OrderQty SYNNEX	Price SYNNEX
Win95 SR2.5 w/Press CD-5PK		141223 MICROSOFT 362-00836 362-00836	0		Call
CPQ CTO Microsoft Win 98 w/Compaq Restor		158951 COMPAQ 339925-001 339925-001	0	<input type="text"/>	\$1.09
Microsoft Windows 98 Second Edition O/		166615 COMPAQ 249667-001 249667-001	0	<input type="text"/>	\$90.00
Microsoft Windows NT/2000 Dual OS Soft		166616 COMPAQ 249663-001 249663-001	0	<input type="text"/>	\$139.01
BTCO HP Windows 98 S.E.		168219 HEWLETT P5704AV#ABA PACKARD P5704AV#ABA	0	<input type="text"/>	\$62.68
BTCO HP Windows 2000 SP1		168220 HEWLETT P5707AV#ABA PACKARD P5707AV#ABA	0	<input type="text"/>	\$155.87
BTCO HP Linux in the box		168391 HEWLETT P4304AV#ABA PACKARD P4304AV#ABA	0	<input type="text"/>	\$23.09
BTCO HP DOS paper in the box		168392 HEWLETT P4305AV PACKARD	0	<input type="text"/>	\$6.60



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Add To Shopping Cart

Go To Shopping Cart

of Items in Shopping Cart 0

Search Method: Category Search

Search Criteria: Category: Software > Productivity Applications > All Sub Categories
Manufacturer: All Manufacturer

Back to Catalog Search

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

Search Results : 1 to 50 out of 100
 Your search has returned more than 100 results. Please refine your search for better results.

Gov't Pricing None Selected

Product Description Comment	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX SKU/ Mfr./ SYNNEX Item Mfr.Part#	Total Availability SYNNEX	OrderQty SYNNEX	Price SYNNEX
Correspondence Manager for NT Server Lic		154628 118080-B21 COMPAQ 118080-B21	0	<input type="checkbox"/>	\$521.50
Correspondence Manager for NT Server 1		154630 118081-B21 COMPAQ 118081-B21	0	<input type="checkbox"/>	\$503.90
Approval Expeditor V1.0 Server for NT S		154655 136509-B21 COMPAQ 136509-B21	0	<input type="checkbox"/>	\$1,039.30
Approval Expeditor V1.0 Server for NT 1		154657 136511-B21 COMPAQ 136511-B21	0	<input type="checkbox"/>	\$691.94
Approval Expeditor V1.0 Client MUL 1 CA		154659 136513-B21 COMPAQ 136513-B21	0	<input type="checkbox"/>	\$57.43
Approval Expeditor V1.0 Client MUL 5 CA		154660 136514-B21 COMPAQ 136514-B21	0	<input type="checkbox"/>	\$281.59
Approval Expeditor V1.0 Client MUL 20 C		154661 136516-B21 COMPAQ 136516-B21	0	<input type="checkbox"/>	\$1,100.43
Approval Expeditor V1.0 Client MUL 100		154662 136517-B21 COMPAQ 136517-B21	0	<input type="checkbox"/>	\$5,268.73



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You do not have an order active. You can add any of the items listed below to a new order by entering quantity for the Item to be ordered and clicking on the "Add to Shopping Cart" button.

Add To Shopping Cart

Go To Shopping Cart

of Items in Shopping Cart 0

Search Method: Category Search

Search Criteria: Category: Software > Programming Tools > All Sub Categories
Manufacturer: All Manufacturer

[Back to Catalog Search](#)

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

Search Results : 1 to 50 out of 100
 Your search has returned more than 100 results. Please refine your search for better results.

Gov't Pricing None Selected

Product Description Comment	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX SKU/ SYNNEX Item	Mfrt./ Mfrt.Part#	Total Availability SYNNEX	OrderQty SYNNEX	Price SYNNEX
Electro Mon 3yr 9x5 Onsite D3		175842 30L8179	IBM 30L8179	0	<input type="checkbox"/>	\$49.48
VStudio .NET Pro Win32 All Languages Lic		196503 659-00837	MICROSOFT 659-00837	0	<input type="checkbox"/>	Call
VStudio .NET Pro All Languages WAH MVL		196830 659-01121FS	MICROSOFT 659-01121FS	0	<input type="checkbox"/>	\$0.01
196830 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.						
VStudio .NET Pro All Languages WAH MVL		196871 659-01121CF	MICROSOFT 659-01121CF	0	<input type="checkbox"/>	\$0.01
196871 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.						
FLASH V5.0 CD MAC UPG		615054 FLM50D10	MACROMEDIA FLM50D10	N/A	<input type="checkbox"/>	N/A
MO-Visual Basic Standard Learning Editio		931465 046-00395	MICROSOFT 046-00395	0	<input type="checkbox"/>	\$18.89
931465 NOT AVAILABLE FOR PURCHASE ONLINE! Promotions valid only on SYNNEX inventory.						
R V Bas .NET Std 2002 CD		931467 046-00742	MICROSOFT 046-00742	0	<input type="checkbox"/>	\$89.81
RAE-V Bas .NET Std 2002 CD		931468 046-00807	MICROSOFT 046-00807	0	<input type="checkbox"/>	Call



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You do not have an order active. You can add any of the items listed below to a new order by entering quantity for the Item to be ordered and clicking on the "Add to Shopping Cart" button.

Add To Shopping Cart

Go To Shopping Cart

of Items in Shopping Cart

Search Method: Category Search Back to Catalog Search

Search Criteria: Category: Software > Reference / Data Source > All Sub Categories

Manufacturer: All Manufacturer

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

	Gov't Pricing	None Selected ▼			
Product Description Comment	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX SKU/ SYNNEX Item	Mfr./ Mfr.Part#	Total Availability SYNNEX	OrderQty SYNNEX Price SYNNEX
SQL Svr Enterprise Edtn All Languages Li		196397 810-01447	MICROSOFT 810-01447	0	Call
SQL Svr Enterprise Edtn All Languages Li		196398 810-01425	MICROSOFT 810-01425	0	Call
SQL Svr Standard Edtn All Languages Lic/		196399 228-01464	MICROSOFT 228-01464	0	Call
SQL Svr Standard Edtn All Languages Lic/		196400 228-01458	MICROSOFT 228-01458	0	Call
SQL Svr Enterprise Edtn All Languages Li		196425 810-01447	MICROSOFT 810-01447	0	Call
SQL Svr Enterprise Edtn All Languages Li		196426 810-01425	MICROSOFT 810-01425	0	Call
SQL Svr Standard Edtn All Languages Lic/		196436 228-01464	MICROSOFT 228-01464	0	Call
SQL Svr Standard Edtn All Languages Lic/		196437 228-01458	MICROSOFT 228-01458	0	Call
SQL Svr 2000 CAL All Languages MVL		196475 359-00610	MICROSOFT 359-00610	0	Call



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You do not have an order active. You can add any of the items listed below to a new order by entering quantity for the Item to be ordered and clicking on the "Add to Shopping Cart" button.

Add To Shopping Cart

Go To Shopping Cart

of Items in Shopping Cart 0

Search Method: Category Search

Search Criteria: Category: Software > Software Suite > All Sub Categories
Manufacturer: All Manufacturer

Back to Catalog Search

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

Product Description Comment	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX SKU/ Mfr./ SYNNEX Item Mfr.Part#	Gov't Pricing	Total Availability SYNNEX	OrderQty SYNNEX	Price SYNNEX
Works Suite 2000 3PK Rls2		215410 B11-00455		35	<input type="checkbox"/>	\$236.28
Works Suite 2001 3PK		220617 B11-00379		46	<input type="checkbox"/>	\$186.16
Microsoft WORKS 6.0 WIN32 English 3Pack		220943 070-01732		128	<input type="checkbox"/>	\$67.47
Office Pro/Publisher XP Win 32 Eng. 3PK		226305 M04-00067		0	<input type="checkbox"/>	\$891.59
Office SB XP Win32 English 3PK DSP CD		226306 588-02113		0	<input type="checkbox"/>	\$512.50
Document distributor upgrade		227511 16A0601		0	<input type="checkbox"/>	\$72.14
Document distributor advanced		227512 16A0602		0	<input type="checkbox"/>	\$572.15
Office SB XP Win32 English 3PK DSP CD		227541 588-02113		1	<input type="checkbox"/>	\$512.19
Windows 98 SE + Word 2000		230442 P2314AV#ABA		0	<input type="checkbox"/>	\$81.65



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Add To Shopping Cart

Go To Shopping Cart

of Items in Shopping Cart 0

Search Method: Category Search

Search Criteria: Category: Software > Utilities > All Sub Categories
Manufacturer: All Manufacturer

Back to Catalog Search

For Inventory by Warehouse & ETA for Products on order, Click availability links below.

Search Results : 1 to 50 out of 100

Your search has returned more than 100 results. Please refine your search for better results.

Gov't Pricing None Selected

Product Description	Check out our new Technotes & Product Detail by clicking on the Product Description links below !	SYNNEX SKU/ SYNNEX Item	Mfr./ Mfr.Part#	Total Availability SYNNEX	OrderQty SYNNEX	Price SYNNEX
Work Expeditor Server License/CD-ROM Pa		154642 135166-B21	COMPAQ 135166-B21	0	<input type="checkbox"/>	\$2,084.15
Work Expeditor Server - 1 Server Licens		154643 135168-B21	COMPAQ 135168-B21	0	<input type="checkbox"/>	\$2,049.88
Work Expeditor Client MUL 1 CAL		154644 135171-B21	COMPAQ 135171-B21	0	<input type="checkbox"/>	\$138.94
Work Expeditor Client MUL 20 CALS		154645 135172-B21	COMPAQ 135172-B21	0	<input type="checkbox"/>	\$2,639.92
Work Expeditor Client MUL 100 CALS		154646 135173-B21	COMPAQ 135173-B21	0	<input type="checkbox"/>	\$12,643.83
Work Expeditor Client MUL 200 CALS		154647 135174-B21	COMPAQ 135174-B21	0	<input type="checkbox"/>	\$24,315.06
Work Expeditor Client MUL 500 CALS		154648 135175-B21	COMPAQ 135175-B21	0	<input type="checkbox"/>	\$56,619.35
Work Expeditor Client MUL 1000 CALS		154649 135176-B21	COMPAQ 135176-B21	0	<input type="checkbox"/>	\$104,207.40

B

**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: SYNNEX Information Technologies, Inc.
Serial No. 76/007,320
Mark: MISCELLANEOUS DESIGN
Class: Int. Cls. 9, 35, 36, 37, 38, 40, 41, 42 Law Office: 113
Filed: March 20, 2000 Examiner: Andrew Benzmiller

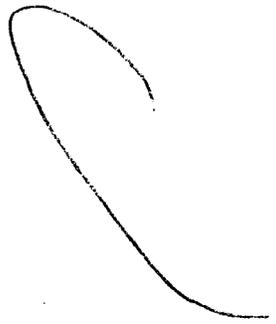
Box RESPONSES NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

DECLARATION IN SUPPORT OF SUBSTITUTE SPECIMEN

I, Simon Leung, hereby declare that:

Submitted herewith is one (1) copy of a specimen showing the mark as it is actually used in commerce in connection with the goods and services set forth in the above-referenced application. The substitute specimen was in use in commerce at least as early as March 20, 2000, the filing date of the Application, in connection with the goods and services set forth in the Application.

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that (a) he is authorized to sign this declaration on behalf of the applicant; (b) he believes the applicant to be the owner of the



FROM:



1041 E. Butler Road, Suite 1200
Greenville, South Carolina 29607

TO:

Applicant: SYNNEX Information Technologies, Inc.

Mark: Design Only

Class: 9

This specimen is being submitted with the Use Base Application filed on
March 20, 2000.

CARR & FERRELL LLP
ATTORNEYS AT LAW

TTAB

August 22, 2002

WRITER'S DIRECT DIAL NUMBER

(650) 812-3461
jwhite@carr-ferrell.com

VIA FIRST CLASS MAIL

Box TTAB NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

02 AUG 30 PM 8:44
TRADEMARK TRIAL AND
APPEAL BOARD

Re: Request to Remand Application to the Examining Attorney for
Consideration of Additional Evidence Under 37 CFR §2.142(d) –
Trademark Application Serial No. 76/007,320
for MISCELLANEOUS DESIGN
in the Name of SYNEX Information Technologies, Inc.

Dear Sir:

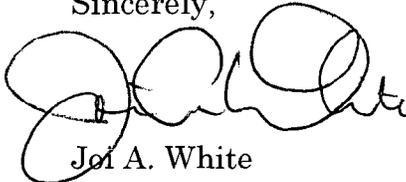
Enclosed with this letter, in response to the final Office Action mailed on June 26, 2002, are the following: (1) Request to Remand Application to the Examining Attorney for Consideration of Additional Evidence Under 37 CFR §2.142(d); (2) Response to Office Action (under 37 C.F.R. §2.62) and accompanying exhibits; and (3) Acknowledgement Card.

Please enter receipt of the Request to Remand Application to the Examining Attorney for Consideration of Additional Evidence and forward the Response to Office Action to the Examining Attorney for processing. Applicant requests that all deadlines associated with its Appeal of the refusal to register the above-referenced application be suspended pending the Examining Attorney's review of the supplemental evidence and Office Action Response filed herewith.

Box TTAB NO FEE
Commissioner for Trademarks
August 22, 2002
Page Two

Applicant believes that no fees are due with this Request. However, should any additional fees be required to avoid abandonment of this Application, please charge our Deposit Account No. 06-0600 for such necessary fees.

Sincerely,



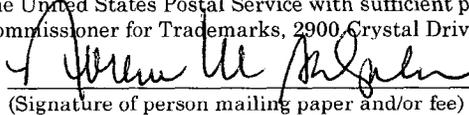
Joi A. White

JAW:nms

Enclosures: Response to Office Action, Exhibits A-C

CERTIFICATE OF MAILING

I hereby certify that this paper and/or fee is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Box TTAB NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on August 22, 2002.
Deposited by: Norene M. Sakazaki



(Signature of person mailing paper and/or fee)