

ESTTA Tracking number: **ESTTA646330**

Filing date: **12/22/2014**

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

Proceeding	91219018
Party	Plaintiff Avnet, Inc.
Correspondence Address	KATHY TSAI FISH & RICHARDSON PC 500 ARGUELLO ST, STE 500 REDWOOD CITY, CA 94063 UNITED STATES tmdoctc@fr.com, tsai@fr.com, ly@fr.com, kgray@fr.com
Submission	Motion for Default Judgment
Filer's Name	Nancy Ly
Filer's e-mail	ly@fr.com, tmdoctc@fr.com
Signature	/Nancy Ly/
Date	12/22/2014
Attachments	Motion for Default Judgment.pdf(85931 bytes )

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

In the matter of Application Serial No. 86/134,370  
For the Mark AYANYAO & Design  
Published in the Official Gazette on September 30, 2014

AVNET, INC.,

Opposer,

v.

SHENZHEN ANYA TECHNOLOGY CO.,  
LTD,

Applicant.

Opposition No. 91219018

**MOTION FOR DEFAULT JUDGMENT**

Avnet, Inc. (hereinafter "Opposer") hereby moves for the entry of default judgment against Shenzhen Anya Technology Co., Ltd (hereinafter "Applicant") for Applicant's failure to timely answer Opposer's Notice of Opposition, filed on October 24, 2014. The Trademark and Trial and Appeal Board (the "Board") on October 24, 2014, issued an order (the "Scheduling Order") giving Applicant notice of the Opposition and setting forth a due date of 40 days after the date of issuance of the Scheduling Order for Applicant to answer the Opposition (i.e., December 3, 2014). Applicant did not timely file an answer to the Opposition on or before December 3, 2014 and, as of the date of this Motion (December 22, 2014), Applicant has not filed any answer in this proceeding.

Trademark Rule of Practice 2.114(a) provides that “[i]f no answer is filed within the time set, the petition may be decided as in case of default.” 37 C.F.R. § 2.114(a). Accordingly, Opposer moves the Board to issue a Default Judgment in this Opposition, denying registration of Applicant’s Opposed Application Ser. No. 86/134,370 with prejudice.

Respectfully submitted,

Date: December 22, 2014

/s/ Nancy Ly  
Kathy Tsai  
Nancy Ly  
FISH & RICHARDSON P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063  
Telephone: (650) 839-5070  
Facsimile: (877) 769-7945  
Email: ly@fr.com, tmdoctc@fr.com

Counsel for Opposer,  
AVNET, INC.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and complete copy of the foregoing MOTION FOR DEFAULT JUDGMENT has been served this 22<sup>nd</sup> day of December, 2014, by First Class U.S. Mail, postage prepaid, upon Applicant Shenzhen Anya Technology Co., Ltd's attorney of record at the following address:

Guo Kai  
Suite 150, PMB 227  
2723 South State Street  
Ann Arbor, Michigan 48104  
United States

/s/ Nancy Ly  
Nancy Ly