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Filing date: **07/20/2015**

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

Proceeding	85155120
Applicant	Avocent Huntsville Corp.
Applied for Mark	TRELLIS
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Submission	Request for Remand/Suspension
Attachments	Request for Remand and to Suspend Proceedings.PDF(74416 bytes)
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Signature	/Lisa M. DuRoss/
Date	07/20/2015

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

Applicant:	Avocent Huntsville Corp.)	
Law Office:	118)	
Examiner:	HUSSAIN, TASNEEM)	REQUEST FOR REMAND AND TO SUSPEND PROCEEDINGS
Serial No.:	85/155,120)	
Filed:	October 18, 2010)	
Mark:	TRELLIS)	

Pursuant to TMBP §1205.02, Applicant respectfully requests the Trademark Trial and Appeal Board to remand the captioned Application to the Examining Attorney and to suspend the Appeal, stating as follows:

- (1) Applicant appealed the Trademark Act §2(d) refusal.
- (2) Applicant requests clarification whether the refusal applies to all of the services claimed in the application.
- (3) Previously, the Section 2(d) refusal as to the Classes 37 and 42 services was based on Registration Nos. 1557241 and 3371830 covering services in Classes 37 and 42 respectively. Registration No. 1557241 covers "installing computer networks and computer cabling" in Class 37. Registration No. 3371830 covered "Information technology consultation; Technological consultation in the technology field of Corporate to Financial Services Connectivity" in Class 42.
- (4) The Office withdrew the Section 2(d) refusal as to Registration No. 3371830 in the October 16, 2014 Office Action because the registration had been canceled. That

Office Action also indicated that registration of Applicant's TRELIS mark in connection with Applicant's maintenance, repair, and IT consulting services was partially refused because of a likelihood of confusion with the mark in U.S. Registration No. 1557241 for the mark TRELIS for "installing computer networks and computer cabling".

(5) From the September 28, 2013 Office Action, Applicant understood that now-cancelled Registration No. 3371830 was the basis for the partial refusal as to Applicant's Class 42 services. That Office Action reads, in pertinent part: "In other words, the broadly worded 'Information technology consultation' offered by registrant encompasses the 'information technology consultation' and is closely related to the other computer consultation services offered by applicant."

(6) Applicant seeks clarification of the applicability of the Section 2(d) refusal to the Class 42 services.

WHEREFORE, Applicant respectfully requests the Trademark Trial and Appeal Board to remand Application Serial No.: 85/155,120 to the Examining Attorney for clarification of the applicability of the Section 2(d) refusal to the Class 42 services.

Respectfully submitted,

Date: 07/20/2015

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