

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Mailed: September 16, 2015

In re Avocent Huntsville Corp.

Serial No. 85155120

Filed: 10/18/2010

LISA M DUROSS
HARNES DICKEY & PIERCE PLC
5445 CORPORATE DR,
TROY, MI 48098

Karl Kochersperger, Paralegal Specialist:

Applicant filed, on September 10, 2015, a request for remand.

Accordingly, the appeal is hereby suspended and the application is remanded to the Trademark Examining Attorney for consideration of the request for remand. The request contains a proposed amendment to the identification of goods. If the amendment is accepted and the mark is found registrable on the basis of this paper, the appeal will be moot and proceedings on the appeal will terminate in due course. If the amendment is accepted but the refusal to register is maintained, the Examining Attorney should issue an Office Action so indicating, and notify the Board. The appeal will then be resumed and Applicant allowed a sufficient time in which to file its appeal brief. If the Examining

Attorney determines that the amendment to the identification is not acceptable, the Examining Attorney should issue an Office Action to that effect, indicating the reasons why the proposed amendment is unacceptable and, if possible, advising Applicant as to how to cure any deficiency in the identification. The amendment to the identification should be treated as raising a new issue, such that any refusal to accept the proposed identification cannot be made final until Applicant is given an opportunity to respond.