United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: May 6, 2014

In re Avnet, Inc.

Serial No. 85469071 (parent)
Classes 35, 37, 39, and 40

Serial No. 85980870 (child)
Class 9

Serial No. 85980871 (child)
Class 42

Filed: 11/10/2011

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On April 17, 2014, applicant filed a notice of appeal from the decision of the Trademark Examining Attorney's refusal of registration. On October 18, 2013, the Examining Attorney issued an Office action wherein she stated that the refusal was final, however, a review of the Office action reveals that the examining attorney did not address Registrations Nos. 4133082 and 4133081 that she had mentioned in her September 27, 2012 suspension notice. Furthermore, the examining attorney has not addressed applicant's

proposed amendment to the services in class 42 as mentioned in applicant's April 17, 2014 request to divide.

In view thereof, the appeal is premature, we are remanding the three above-captioned applications to the Examining Attorney for further examination.

If the Examining Attorney ultimately issues a new final refusal, applicant may file a new notice of appeal.