

GRASSHOPPER MANUFACTURING
COMPANY, LTD.,
Opposer,

INTER PARTES CASE NO. 1821

OPPOSITION TO:

- versus -

Application Serial No. 37572
Filed : February 13, 1979
Applicant : Betty Soliven
Trademark : "HOOPER"
Used on : T-shirts, shorts, jeans,
socks and others such as briefs, skirts,
dresses, blouses, pants jackets, vests,
nighties

BETTY SOLIVEN,
Respondent-Applicant.

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DECISION NO. 89-10 (TM)
February 15, 1989

DECISION

On May 2, 1984, Opposer through counsel file a Notice of Opposition against the registration of the above trademark application of the herein Respondent-Applicant.

Opposer is a foreign corporation organized under the laws of the United Kingdom, with principal address at spring Road, Ettingshall, Wolverhampton, West Midlands, England, while Respondent-Applicant, doing business under the name and style "Richton Garment", has principal place of business at 98 J. Teodoro Street, Caloocan City, Philippines.

Upon due notice, Respondent-Applicant filed Answer to the herein Notice of Opposition and, issues having been joined, the case was set for pre-trial conference on September 17, 1984. The pre-trial conference was suspended and was later reset on March 27, 1985 due to the filling of an Amended Notice of Opposition and Amended Answer, respectively, by the Opposer and Respondent-Applicant. For failure of the parties to reach an amicable settlement, the pre-trial conference was terminated and the case proceeded to trial on the merits.

In the hearing conducted on April 4, 1986, counsel for the oppose moved that the case be dismissed due to Opposer`s a lack of interest in pursuing the case.

WHEREFORE, premises considered, the case is DISMISSED. Application Serial No. 35752 for the registration of the trademark "HOOPER" for T-shirts, shorts, etc. by the herein Respondent-Applicant is given due course.

Let the records of this case be remanded to the Application, Issuance & Publication Division for appropriate action in accordance with this Decision.

SO ORDERED.

IGNACIO S. SAPALO
Director