

ANGELITA MANZANO

Opposer,

-versus-

NEW UNITED FOUNDRY AND  
MANUFACTURING CORPORATION,  
Assignor to ANG GUAN LE,

Respondent-Patentee.

PETITION FOR CANCELLATION

INTER PARTES CASE NO. 1823

Letters Patent No. D-648  
Issued : March 1, 1972  
Patentee : New United Foundry  
and Manufacturing Corporation,  
assignor to Ang Guan Le  
For : GAS STOVE

INTER PARTES CASE NO. 1824

Letters Patent No. D-649  
Issued : March 1, 1972  
Patentee : New United Foundry  
and Manufacturing Corporation,  
assignor to Ang Guan Le  
For : GAS STOVE

INTER PARTES CASE NO. 1823

Letters Patent No. D-648  
Issued : March 1, 1972  
Patentee : New United Foundry  
and Manufacturing Corporation,  
assignor to Ang Guan Le  
For : GAS STOVE

INTER PARTES CASE NO. 1825

Letters Patent No. D-650  
Issued : March 1, 1972  
Patentee : New United Foundry  
and Manufacturing Corporation,  
assignor to Ang Guan Le  
For : GAS STOVE

-and-

INTER PARTES CASE NO. 1826

Letters Patent No. UM-1018  
Issued : September 7, 1972  
Patentee : New United Foundry  
and Manufacturing Corporation,  
assignor to Ang Guan Le  
For : AN IMPROVED  
TRIPLE HEAT LPG GAS STOVE

(all with 2<sup>nd</sup> extensions of term)

DECISION

On March 14, 198 Petitioner, Angelita Manzano, a Filipino Citizen with address at 14 Gregorio Roxas, Quezon City, filed four (4) Petitions for cancellation docketed as Inter Partes Cases Nos. 1823, 1824, 1825 and 1826 for the cancellation, respectively, of –

- (1) Letters Patent No. D-648 issued March 1, 1972  
1<sup>st</sup> Extension - D-218 issued April 29, 1977  
2<sup>nd</sup> Extension - D-510 issued May 10, 1982
- (2) Letters patent No. D-649 issued March 1, 1972  
1<sup>st</sup> Extension – D-219 issued April 29, 1977  
2<sup>nd</sup> Extension – D-557 issued October 7, 1982
- (3) Letters patent No. D-650 issued March 1, 1972  
1<sup>st</sup> Extension - D-220 issued April 29, 1977  
2<sup>nd</sup> Extension – D-509 issued May 10, 1982
- (4) Letters Patent No. UM- 1018 issued Sept. 7, 1972  
1<sup>st</sup> Extension – UM-293 issued Sept. 26, 1977  
2<sup>nd</sup> Extension – UM-602 issued November 2, 1982

All issued to Respondent-Patentee, Ang Guan Le, assignor to New United Foundry Manufacturing Corporation, a domestic corporation located at 595 Bo. Bagbag, Novaliches, Quezon City.

Section 58 of Republic Act 165, as amended, reads:

“SEC. 58. Term and extension thereof.- the term of the design patent and of the patent for a utility model shall be five years from the date of the great thereof. (As amended by Republic Act No. 864)

Before the expiration of the five-year term, upon payment of the required fee, or within a further time thereafter not to exceed six months upon payment of the surcharge, the owner of the design patent or of a patent for a utility model may apply for an extension for an additional five years. The application for extension must be accompanied by an affidavit showing that the design or the model is in commercial or industrial use in the Philippines or satisfactorily explaining non-use. In a similar manner an extension for a third five-year period may be obtained.” (As amended by Republic Act No. 864)

The fifteen-year term of the subject patents having lapsed, these cases are rendered moot.

WHEREFORE, Inter Partes Cases No. 1823, 1824, 1825 and 1826 are hereby DISMISSED.

Let the records of these cases be remanded to the Patent/Trademark Registry and EDP Division for appropriate action in accordance with this Decision.

SO ORDERED.

Makati, Metro Manila, August 10, 1988.

IGNACIO S. SAPALO  
Director