

PAGODA PHILIPPINES, INC.,	}	IPC NO. 14-2008-00191
Opposer,	}	Opposition to:
-versus-	}	Appln. Ser. No. 4-2006-009059
	}	Date Filed: August 17, 2006
	}	TM: "WHITE ROSE FAMILY CHOICE AND DEVICE"
FAMILY CHOICE GRAINS PROCESSING CENTER, INC., Respondent-Applicant.	}	
x-----x	}	Decision No. 2009-64

**JUDGMENT  
BASED ON COMPROMISE AGREEMENT**

For this Bureau's consideration is the parties' Compromise Agreement filed on May 28, 2009.

The Compromise Agreement executed by and between Opposer, Pagoda Philippines, Inc. and Respondent-Applicant Family Choice Grains Processing Center, Inc., represented by their respective duly authorized counsel, provides, to wit:

1. Respondent-Applicant will limit, as it hereby limits, its Application Serial No. 4-2006-009059 to the registration of the mark "WHITE ROSE" only, as originally indicated in its Trademark Application Form, a certified copy of which has been attached to its Answer dated January 7, 2009 as Exhibit "2".
2. With the above clarification/amendment, Opposer will withdraw, as it hereby withdraws, its Notice of Opposition to Application Serial No. 4-2006-009059.

WHEREFORE, finding the parties' Compromise Agreement to have been duly executed and signed by the parties and the terms and conditions thereof to be in consonance with law, morals, good customs, public policy or public order, the same is hereby APPROVED.

Accordingly, Application Serial No. 4-2006-009059 filed by Respondent-Applicant Family Choice Grains Processing Center, Inc. on August 17, 2006 for the trademark "WHITE ROSE FAMILY CHOICE AND DEVICE" is GIVEN DUE COURSE subject to the terms and conditions of the compromise agreement. Consequently, the parties are hereby enjoined to faithfully comply with the terms and conditions of the Compromise Agreement, failure of which shall be cause for the erring party to be cited for indirect contempt after proper charge and hearing.

Let the filewrapper of "WHITE ROSE FAMILY CHOICE AND DEVICE" subject matter under consideration together with a copy of this Decision be forwarded to the Bureau of Trademarks (BOT) for appropriate action.

SO ORDERED.

Makati City, 29 May 2009.

ESTRELLITA BELTRAN-ABELARDO  
Director, Bureau of Legal Affairs  
Intellectual Property Office