

WILLIAM TAN,
Petitioner,

INTER PARTES CASE NO. 1994

PETITION FOR CANCELLATION

- versus-

Letter Patent No. UM-6085
Issued : May 23, 1986
Patentee : Uy Beng Suy
For : PADDLE AND
SHUTTLE COCK GAME DEVICE

-a n d-

INTER PARTES CASE NO. 1995

PETITION FOR CANCELLATION

Letter Patent No. D-3523
Issued : May 23, 1986
Patentee : Uy Beng Suy
For : GAME PADDLE

UY BENG SUY,
Respondent-Patentee.

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DECISION NO. 88-80 (TM)
August 18, 1988

DECISION

These consolidated inter partes cases pertain to two (2) Petitions for Cancellation filed on June 9, 1986 by William Tan, who is doing business under the name and style "Perfectline Industries and Marketing", with address at No. 1 Industrial Road, Karuhatan, Valenzuela, Metro Manila, seeking cancellation of Letters Patents Nos. UM-6085 (PADDLE AND SHUTTLECOCK GAME DEVICE) and D-3523 (GAME PADDLE), both patented on May 23, 1986 in the name of the herein Respondent-Patentee, Uy Beng Suy, of 149151 8th Street, 11th Avenue, Grace Park, Caloocan City.

Petitioner is represented in these cases by counsel, Atty. Jose C. Guico, Jr., with office address at 48-A times Street, West Triangle, Quezon City, while Respondent-Patentee is represented herein by Atty. Oscar T. Pagulayan, with office address at Suite 300-D Delata Building, West Avenue, Quezon City.

Records show that after Respondent-Patentee filed his Answers and the cases were set for pre-trial conference, hearings took place because of a series of postponements requested by the parties as they explored avenues to settle the cases amicably among themselves.

On March 21, 1988, parties through their respective counsels filed a Joint Motion to Dismiss, which reads:

"COME NOW the parties by and thru their respective counsel and to this Honorable Philippine Patent Office most respectfully move for the dismissal of the above-entitled cases for the reason that they have mutually and amicably settled the issues in these cases and they have agree to waive and relinquish in favor of the other any and all claims and counterclaims as well as any rights and actions that each may have against the other, now and forever, and relieve each other from any obligation whatsoever, in connection therewith.

WHEREFORE, it is most respectfully prayed that the above-entitled cases be dismissed with prejudice for the reason above-stated and for such other reliefs as may be just and equitable in the premises.”

Finding that the above Joint Motion to Dismiss is not contrary to any law, rules or regulations of this Office, the same is hereby GRANTED. Accordingly, the herein Petitions for Cancellation under Inter Partes Cases Nos. 1994 and 1995 are hereby ordered DISMISSED.

Let the records of Letters Patents Nos. UM-6085 and D-3523 be restored in the records of the Patent/trademark Registry an EDP Division.

SO ORDERED.

IGNACIO S. SAPALO
Director