



ABS-CBN BROADCASTING CORP., STAR	}	IPC No. 14-2009-00258
RECORDING, INC., ABS-CBN FILM	}	
PRODUCTIONS, INC., and ABS-CBN	}	
PUBLISHING, INC.,	}	
<i>Opposer,</i>	}	Opposition to :
	}	
- versus -	}	Appln. No. 4-2009-000358
	}	Date Filed: 13 January 2009
STAR TELEVISION PRODUCTIONS	}	Trademark: STAR WORLD LOGO
LIMITED,	}	
<i>Respondent-Applicant.</i>	}	
x-----x		Order No. 2012- 36 (D)

ORDER

ABS-CBN BROADCASTING CORP., STAR RECORDING, INC., ABS-CBN FILMPRODUCTIONS, INC., and ABS-CBN PUBLISHING, INC. ("Opposers") filed on 03 November 2009 an opposition to Trademark Application Serial No. 4-2009-000358. The Opposition is anchored on the following grounds:

A. At the time of the respondent-Applicant filed the subject application, Opposers had already acquired ownership of the "STAR" mark and derivative marks by prior actual use thereof. Opposer ABS-CBN, in particular, has been using the "STAR" mark and derivative marks as early as 1986-1987.

B. ABS-CBN and its affiliates are also the earliest applicants for registration of the "STAR" mark and derivative marks.

C. As the owners of the "STAR" mark and derivative marks, ABS-CBN and its affiliates are entitled to prevent the registration of the "STAR WORLD LOGO" mark covered by the subject application, which is confusingly similar with the trademarks of ABS-CBN and its affiliates.

D. The registration of Respondent-Applicant's "STAR WORLD LOGO" would lead to the dilution of the Opposer's "STAR" marks and derivative marks and would erode their goodwill over said marks.

The Respondent-Applicant filed its Answer on 20 March 2010 refuting the material allegations of the Opposers.

In compliance to Office Order No. 154, s. 2010 ("*Rules of Procedure for IPO Mediation Proceedings*") and Office Order No. 197, s. 2010 ("*Mechanics for IPO Mediation and Settlement Period*"), this Bureau issued on 19 January 2011 Order No. 2011-18 referring the case to mediation.

On 02 January 2012, this Bureau received a "MEDIATOR'S REPORT" indicating the successful mediation of the instant case. Attached to the report is the Opposers' Motion to Withdraw and Dismiss Verified Opposition.

With the withdrawal by the Opposers of their opposition to the registration of trademark STAR WORLD LOGO, there is no more reason nor basis to proceed with these cases.

WHEREFORE, premises considered, the instant opposition case is hereby **DISMISSED**.

Let the filewrapper of Trademark Application Serial No. 4-2009-000358 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT), for information and appropriate action.

SO ORDERED.

Taguig City, 06 February 2012.


Atty. **NATHANIEL S. AREVALO**
Director IV
Bureau of Legal Affairs

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