



OFFICE OF THE DIRECTOR GENERAL

WESTMONT PHARMACEUTICALS, INC.,
Opposer-Appellant,

-versus-

NOVARTIS AG,
Respondent-Appellee.

x-----x

Appeal No. 14-2013-0012

IPC No. 14-2009-00217

Opposition to:

Application No. 4-2008-015373

Date Filed: 19 December 2008

Trademark: CARDOGREL

O R D E R

Pursuant to the Rules of Procedure for IPO Mediation Proceedings¹, this Office issued an Order on 11 June 2013 referring this case to mediation. Subsequently, this Office received on 06 February 2014 a "MEDIATOR'S REPORT" with a "JOINT SUBMISSION OF COMPROMISE AGREEMENT" dated 05 February 2014 executed by the parties.

The parties maintain that they have reached an amicable settlement in this case and that their agreement is not contrary to law, moral, good custom and public policy. The parties, thus, seek the approval of the compromise agreement.

In this regard, a review of the provisions of the compromise agreement shows that the agreement is not contrary to law, public policy, morals or good customs. In addition, the settlement of this case is consistent to the policy of encouraging the use of alternative dispute resolution methods and actively promoting party autonomy in the resolution of disputes or the freedom of the parties to make their own arrangements to resolve their disputes.²

Wherefore, premises considered, the MEDIATOR'S REPORT and the JOINT SUBMISSION OF COMPROMISE AGREEMENT are hereby included in the records of this case. The compromise agreement executed by the parties is hereby approved. The parties are enjoined to faithfully comply with the provisions of their agreement. Accordingly, the instant appeal is hereby dismissed.

Let a copy of this Order and the records of this case be furnished and returned to the Director of the Bureau of Legal Affairs for appropriate action. Further, let also the Director of the Bureau of Trademarks, the IPOP HL Alternative Dispute Resolution (ADR) Services, and the library of the Documentation, Information and

¹ Office Order No. 154, Series of 2010.

² Rep. Act No. 9285, Alternative Dispute Resolution Act of 2004.

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Technology Transfer Bureau be furnished a copy of this Order for information, guidance, and records purposes.

SO ORDERED.

11 1 FEB 2014 Taguig City.


RICARDO R. BLANCAFLOR
Director General