



MANUEL ENRIQUE L. ZALAMEA,
Petitioner,

- versus -

ELARFOODS, INC.,
Respondent-Registrant.

x-----x

IPC No. 14-2011-00167

Cancellation of:

Registration No. 4-2001-007272

Date Filed: 28 April 2006

Trademark: ELARS LECHON

Order No. 2012 - 50(0)

ORDER

MANUEL ENRIQUE L. ZALAMEA (Petitioner), filed on 26 April 2011 a Petition for Cancellation of Trademark Registration No. 4-2001-007272. The Trademark Registration filed by ELARFOODS, INC. (Respondent-Registrant) covers the mark "ELARS LECHON" for use on goods under Classes 29 and 42. The petition for cancellation is anchored on Sec. 151.1 (a) and (b) of Rep. Act. No. 8293, also known as the Intellectual Property Code of the Philippines.

On 18 October 2011, this Bureau received a Mediator's Report stating that the Petitioner failed to appear on the scheduled mediation conferences despite due notice. Attached to the report is the Respondent-Registrant's Manifestation praying that the petition be dismissed for failure of the Petitioner to appear during the mediation proceedings, pursuant to Section 8 of Office Order No. 154, s. 2010.

Section 8 of Office Order No. 154, s. 2010 provides:

"The failure of the party who initiated the case, such as the opposer, petitioner or complainant, to appear for mediation, including the meeting before the Mediation Office in accordance with Section 3 hereof, is a ground for the dismissal of the case". x x x

WHEREFORE, premises considered, the petition for cancellation case is hereby **DISMISSED**.

Let the filewrapper of Registration No. 4-2001-007272 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 20 February 2012.


ATTY. NATHANIEL S. AREVALO
Director IV
Bureau of Legal Affairs