



BRIDGESTONE CORPORATION,	}	IPC No. 14-2010-00128
<i>Opposer,</i>	}	Opposition to:
	}	
- versus -	}	Appln. No. 4-2009-011202
	}	Date Filed: 03 November 2009
NICHOLAS W. WU a.k.a KIN CHUNG	}	Trademark: ECOFOAM POLYURETHANE
WU,	}	INSULATION & DEVICE
<i>Respondent-Applicant.</i>	}	
x-----x		Order No. 2014- 43 (D)

ORDER

BRIDGESTONE CORPORATION ("Opposer"), filed on 28 June 2010 an opposition to Trademark Application Serial No. 4-2009-011202. The application, filed by NICHOLAS W. WU a.k.a KIN CHUNG WU, ("Respondent-Applicant"), covers the mark "ECOFOAM POLYURETHANE INSULATION & DEVICE" for use on goods under International Class 17.

This Bureau issued a Notice to Answer dated 29 July 2010 and served a copy thereof to Respondent-Applicant on 05 August 2010. The Respondent-Applicant, however, did not file an Answer.

On 05 September 2013, the Opposer filed a Manifestation stating that a check with the Bureau of Trademarks indicates that the Respondent-Applicant failed to file his 3rd year Declaration of Actual Use (DAU) for the trademark application of "ECOFOAM POLYURETHANE INSULATION & DEVICE" covered by Application No. 4-2009-011202. Attached to the Opposer's Manifestation is a Certification issued by the Bureau of Trademarks on 29 August 2013. On 06 February 2014, the Respondent-Applicant filed a Motion to Dismiss alleging he has no intention to either submit a Declaration of Actual Use or use the mark ECOFOAM POLYURETHANE INSULATION & DEVICE.

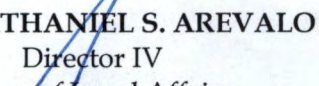
This Bureau treats the Respondent-Applicant's motion as a voluntary withdrawal of his trademark application for the mark ECOFOAM POLYURETHANE INSULATION & DEVICE. Accordingly, with the withdrawal by the Respondent-Applicant of his trademark application, there is no more reason nor basis to proceed with this case.

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

Let the filewrapper of Trademark Application Serial No. 4-2009-011202 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 25 February 2014.


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

/vanj_auz

Copy furnished:

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