



BRIDGESTONE CORPORATION,  
Opposer,

-versus-

ZHAN JIANG DENI CARBURETOR CO. LTD.,  
Respondent-Applicant.

X-----X

}  
} IPC No. 14-2009-00122  
} Opposition to:  
} Appln. Serial No. 4-2009-000029  
} Date Filed: 5 January 2009  
} TM: "DENI & DEVICE"

**NOTICE OF ORDER**

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Makati City

**COCHINGYAN & PERALTA LAW OFFICES**  
Counsel for Respondent-Applicant  
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139 Valero Street, Salcedo Village  
Makati City

**GREETINGS:**

Please be informed that Order No. 2013 - 185 (D) dated October 08, 2013 ( copy enclosed) was promulgated in the above entitled case.

Taguig City, October 08, 2013.

For the Director:

*Edwin A. Dating*  
**Atty. EDWIN DANILO A. DATING**  
Director III  
Bureau of Legal Affairs



BRIDGESTONE CORPORATION,	}	IPC No. 14-2009-00122
<i>Opposer,</i>	}	Opposition to :
	}	
- versus -	}	Appln. No. 4-2009-000029
	}	Date Filed: 5 January 2009
ZHAN JIANG DENI CARBURETOR	}	Trademark: DENI & DEVICE
CO. LTD.,	}	
<i>Respondent-Applicant.</i>	}	
x-----x	x	Order No. 2013- 185 (D)

### ORDER

BRIDGESTONE CORPORATION ("Opposer"), filed on 24 April 2009 an opposition to Trademark Application Serial No. 4-2009-000029. The application, filed by ZHAN JIANG DENI CARBURETOR CO. LTD. ("Respondent-Applicant"), covers the mark "DENI & DEVICE" for use on goods under Classes 7, 9 and 12.

This Bureau issued on 07 May 2009 a Notice to Answer and served a copy thereof upon the Respondent-Applicant on 19 May 2009. On 16 September 2009, the Respondent-Applicant filed a Motion to Admit Compliance with Verified Answer. However, this Bureau issued on 23 October 2009 Order No. 2009-1577 denying the Respondent-Applicant's motion and declaring that the instant case is submitted for decision on the basis of the opposition and the evidence supporting it.

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 its 3<sup>rd</sup> year Declaration of Actual Use (DAU) for the trademark application of "DENI & DEVICE" covered by Application No. 4-2009-000029. The Respondent-Applicant's failure to file the DAU caused the abandonment of the said application. Attached to the Opposer's Manifestation is a Certification issued by the Bureau of Trademarks on 29 August 2013.

The records of the Intellectual Property Office of the Philippines, in particular the Trademarks Registry, confirm the Opposer's allegation that the Trademark Application Serial No. 4-2009-000029 has been deemed abandoned. Accordingly, 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 Registration No. 4-2009-000029 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

**SO ORDERED.**

Taguig City, 08 October 2013.

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

/bmj:GSB