



CLINIQUE LABORATORIES, LLC,
Opposer,

-versus-

UNILEVER N.V.,
Respondent-Applicant.

}
} IPC No. 14-2011-00565
} Opposition to:
} Appln. Serial No. 4-2011-008942
} Date Filed: 29 July 2011
} TM: "CLINICEL"
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NOTICE OF ORDER

**ANGARA ABELLO CONCEPCION
REGALA & CRUZ**
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0399 Taguig City

LAW FIRM OF REYES RARA & ASSOCIATES
Counsel for Respondent-Applicant
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39th Street, Bonifacio Global City
Taguig City 1634

GREETINGS:

Please be informed that Order No. 2013 - 50 (D) dated February 22, 2013 (copy enclosed) was promulgated in the above entitled case.

Taguig City, February 22, 2013.

For the Director:


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



CLINIQUE LABORATORIES, LLC,	}	IPC No. 14-2011-00565
Opposer,	}	Opposition to:
	}	
- versus -	}	Appln. Serial No. 4-2011-008942
	}	Date Filed: 29 July 2011
UNILEVER N. V.,	}	
Respondent-Applicant.	}	Trademark: CLINICEL
x-----x		Order No. 2013 - <u>50</u> (D)

ORDER

CLINIQUE LABORATORIES, LLC ("Opposer") and UNILEVER N.V. ("Respondent-Applicant") filed on 14 February 2013 a Joint Motion for Dismissal. The said motion states that:

"2. The Parties concluded a Co-Existence Agreement in December 2012 involving, among others, the use and registration of their respective marks in several countries, including the Philippines.

"3. Under the Co-Existence Agreement, Respondent-Applicant shall amend the coverage of its Application No. 4-2011-008942 in Class 3 to *"hair care products; hair colorants, hair dyes, hair lotions, hair waving preparations, shampoos, conditioners, hair sprays, hair powder, hair dressings, hair lacquers, hair mousses, hair glazes, hair gels, hair moisturizers, hair liquid, hair preservation treatments, hair desiccating treatments, hair oils, hair tonic, hair creams"*.

"4. On 29 January 2013, Respondent-Applicant filed its Request for Amendment pursuant to the provisions of the Co-Existence Agreement.¹

"5. In view of the settlement between the Parties, and in accordance with the policy of the State to actively promote party autonomy in the resolution of disputes or the freedom of the parties to make their own arrangements to resolve their disputes, the parties respectfully request the dismissal of the subject opposition case."


With the express manifestation of the parties for the dismissal of the instant opposition case in view of their Co-Existence Agreement and the corresponding Request for Amendment filed by Respondent-Applicant, there is no more factual or legal basis to proceed with this case.

¹ Attached to the Joint Motion for Dismissal as Annex "A" is the Request for Amendment as filed with this Office.

WHEREFORE, premises considered, the instant case is hereby **DISMISSED**. Let the filewrapper of Trademark Application Serial No. 4-2011-008942 be returned, together with a copy of this Order and the parties' Joint Motion for Dismissal, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 22 February 2013.



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

Copy furnished:

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