



ELITE LICENSING COMPANY S. A.,	}	IPC No. 14-2013-00247
Opposer,	}	Opposition to:
	}	
- versus -	}	Appln. Serial No. 4-2012-012603
	}	Date Filed: 12 October 2012
AVON PRODUCTS, INC.,	}	
Respondent-Applicant.	}	Trademark: ELITE GENTLEMAN
x-----x		Order No. 2013 - <u>211</u> (D)

ORDER

The records show that this Bureau issued Order No. 2013-928 dated 27 June 2013, directing the Opposer to present proof of payment of filing fee for the opposition within five (5) days from receipt thereof. The Order further states that the Opposer's failure to comply shall cause the denial of the motion and/or dismissal of the case.

Rule 2, Section 8 (c) of the amended *Rules and Regulations on Inter Partes Proceedings* provides, to wit:

Section 8. *Action on the Notice of Opposition or Motion for Extension to File Notice of Opposition and Petition.* - x x x (c) The opposer, including those who file a motion for extension of time to file notice of opposition, or the petitioner shall be given a period of five (5) days from receipt of the order to complete or to cure any of the following defects:

(1) Non-payment in full or in part of the filing fees and other applicable fees;

x x x

Failure to complete or cure the defect shall cause the dismissal of the case. [Emphasis Supplied]

In the instant case, the period lapsed without the Opposer having complied with the Order requiring the payment of filing fee for the opposition.

WHEREFORE, premises considered, this case is hereby **DISMISSED**. Let the filer of Trademark Application Serial No. 4-2012-012603 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 30 October 2013.


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

Copy furnished:

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