



ESPRIT INTERNATIONAL,	}	IPC No. 14-2012-00304
<i>Opposer,</i>	}	Opposition to:
	}	Appln. Serial No. 4-2012-002509
- versus -	}	Date Filed: 29 February 2012
	}	TM: ESPALMA
HOK DIENG ENTERPRISE INC.,	}	
<i>Respondent-Applicant.</i>	}	Order No. 2014 - <u>77 (0)</u>

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### ORDER

ESPRIT INTERNATIONAL ("Opposer"), filed on 08 August 2012 an opposition to Trademark Application Serial No. 4-2012-002509. The application, filed by HOK DIENG ENTERPRISE INC. ("Respondent-Applicant"), covers the mark "ESPALMA" for use on goods under International Class 24.

Pursuant to the Regulations on Inter Partes Proceedings, this Bureau issued a Notice to Answer and served a copy thereof to HOK DIENG ENTERPRISE INC. ("Respondent-Applicant") on 13 September 2012. The Respondent-Applicant filed its Answer on 07 November 2012.

In compliance to Office Order No. 154, s. 2010 ("*Rules of Procedure for IPO Mediation Proceedings*") and Office Order No. 197, s. 2010 ("*Mechanics for IPO Mediation Settlement Period*"), this Bureau issued on 04 December 2012 Order No. 2012-222 referring the case to mediation. On 03 January 2013, the ADR Services of this Bureau submitted a Mediation Report indicating the unsuccessful mediation of the instant case.

On 29 April 2013, the Opposer filed a Manifestation and Motion stating that in a letter dated 08 April 2013, the Respondent-Applicant confirmed that it was no longer interested in registering the ESPALMA trademark. Attached to the Opposer's Manifestation and Motion is the Respondent-Applicant's letter dated 08 April 2013 addressed to the Director of the Bureau of Trademarks.


Accordingly, with the withdrawal by the Respondent-Applicant of its 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. 4-2012-002509 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

**SO ORDERED.**

Taguig City, 26 May 2014.

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

/s/anj

Copy furnished:

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