



GINEBRA SAN MIGUEL INC.,
Opposer,

-versus-

TANDUAY DISTILLERS, INC.,
Respondent – Applicant.

}
} **IPC No. 14-2011-00214**
} **Opposition to:**
} **Appln. Serial No. 4-2010-011068**
} **Date filed: 08 October 2010**
} **TM: "GINEBRA PINEAPPLE**
} **& DEVICE"**

X-----X

NOTICE OF ORDER

POBLADOR BAUTISTA & REYES
Counsel for the Opposer
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ESCANO SARMIENTO & PARTNERS LAW OFFICES
Counsel for Respondent-Applicant
Suite 1605, The Taipan Place
F. Ortigas Jr. Road, Ortigas Business District
Pasig City

GREETINGS:

Please be informed that Order No. 2014 - 22 (D) dated February 05, 2014 (copy enclosed) was promulgated in the above entitled case.

Taguig City, February 05, 2014.

For the Director:

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



GINEBRA SAN MIGUEL INC.,	}	IPC No. 14-2011-00214
<i>Opposer,</i>	}	Opposition to:
	}	Appln. Serial No. 4-2010-011068
- versus -	}	Date Filed: 08 October 2010
	}	TM: GINEBRA PINEAPPLE
TANDUAY DISTILLERS, INC.,	}	& DEVICE
<i>Respondent-Applicant.</i>	}	Order No. 2014 - <u>22 (D)</u>
x-----x		

ORDER

GINEBRA SAN MIGUEL INC. ("Opposer"), filed on 06 June 2011 an opposition to Trademark Application Serial No. 4-2010-011068 on the ground that the dominant feature "GINEBRA" of the subject mark "GINEBRA PINEAPPLE & DEVICE" is identical to the dominant feature of Opposer's trade name, "GINEBRA SAN MIGUEL, INC.,".

This Bureau issued a Notice to Answer and served a copy thereof to TANDUAY DISTILLERS, INC., ("Respondent-Applicant") on 11 July 2011. The Respondent-Applicant filed its Answer on 10 August 2011.

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 15 August 2011 Order No. 2011-254 referring the case to mediation. On 10 October 2011, the ADR Services of this Bureau submitted a Mediation Report indicating the unsuccessful mediation of the instant case.

On 30 January 2014, the Respondent-Applicant filed a Motion to Withdraw Application stating that it is withdrawing its application for the mark GINEBRA PINEAPPLE & DEVICE.

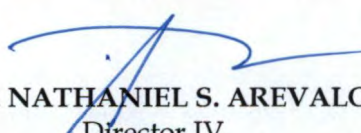
Accordingly, with the withdrawal by the Respondent-Applicant of its trademark application, there is no more reason nor basis to proceed with this case.

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

Let the filewrapper of Trademark Application Serial No. 4-2010-011068 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 5 February 2014.


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

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