



GOLDEN ABC, INC.,
Opposer,

-versus-

JOHNSON & JOHNSON,
Respondent-Applicant.

}
} IPC No. 14-2012-00123
} Opposition to:
} Appln. Serial No. 4-2010-009467
} Date Filed: 27 August 2010
} TM: "OXYGEN FRESH"

X-----X

NOTICE OF ORDER

OFFICE OF BAGAY-VILLAMOR & FABIOSA

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GREETINGS:

Please be informed that Order No. 2013 - 62 (D) dated March 22, 2013 (copy enclosed) was promulgated in the above entitled case.

Taguig City, March 22, 2013.

For the Director:


Atty. PAUSI U. SAPAK
Hearing Officer
Bureau of Legal Affairs



GOLDEN ABC, INC.,	}	IPC No. 14-2012-00123
<i>Opposer,</i>	}	Opposition to:
	}	
- versus -	}	Appln. No. 4-2010-009467
	}	Date Filed: 27 August 2010
JOHNSON & JOHNSON,	}	Trademark: OXYGEN FRESH
<i>Respondent-Applicant.</i>	}	
x-----x		Order No. 2013- 62 (o)

ORDER

GOLDEN ABC, INC. ("Opposer"), filed on 10 April 2012 an opposition to Trademark Application Serial No. 4-2010-009467 on the ground that the subject mark "OXYGEN FRESH" is confusingly similar to the Opposer's registered "OXYGEN" marks.

This Bureau issued a Notice to Answer and served a copy thereof to the Respondent-Applicant JOHNSON & JOHNSON on 28 May 2012. Instead of filing an answer, the Respondent-Applicant filed on 15 March 2013 a Manifestation stating that it has withdrawn its application for registration of the trademark OXYGEN FRESH.

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. 4-2010-009467 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 22 March 2013.


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

/s/nj