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| GROMARK CONSUMERS | } | IPC No. 14-2014-00156 |
| ENTERPRISE PTE. LTD., | } | Petition for Cancellation: |
| Petitioner, | } | |
| | } | Registration No. 4-2012-00740325 |
| - versus - | } | Date Issued: 22 September 2013 |
| | } | |
| LIBRADO N. TOLEDO JR., | } | Trademark: CRYSTAL TOMATOS |
| Respondent-Registrant. | } | |
| x-----x | | Order No. 2014 - <u>78 (D)</u> |

ORDER

GROMARK CONSUMERS ENTERPRISE PTE LTD. ("Petitioner") filed on 23 May 2014 a Motion to Dismiss praying for the dismissal of the petition for cancellation of Trademark Registration No. 4-2012-00740325. The motion states that:

"1. On 7 May 2014, the Respondent, Librado Toledo, Jr. executed a Deed of Assignment transferring all rights to the CRYSTAL TOMATOS trademark to the Petitioner. A copy of the Deed of Assignment is attached as Annex "A".


"2. The trademark, bearing Registration No. 4/2012/00740325, as well as the original Certificate of Registration thereof was duly assigned to the Petitioner. In consideration thereof, the instant Petition for Cancellation of Trademark Registration has been rendered moot and academic and it is therefore respectfully prayed that the Petition be dismissed."

With the Petitioner's motion confirming the assignment of the subject trademark registration in its favor, there is no more factual or legal basis to proceed with this case.

WHEREFORE, premises considered, the instant case is hereby **DISMISSED**. Let the filewrapper Trademark Registration No. 4-2012-00740325 be returned, together with a copy of this Order and the Petitioner's Motion to Dismiss, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 27 May 2014.


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

Copy furnished:

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