



NOVARTIS AG,	}	IPC No. 14-2014-00039
Opposer,	}	Opposition to:
	}	
- versus -	}	Application No. 4-2013-00011758
	}	Date Filed: 27 September 2013
MERCK SHARP & DOHME CORP.,	}	
Respondent-Applicant.	}	Trademark: XORILEX
x-----x	x	Order No. 2014 - <u>73</u> (D)

## ORDER

NOVARTIS AG ("Opposer") filed on 09 May 2014 a Notice to Withdraw Opposition to Application No. 4-2013-00011758. The notice states that:

"3. On April 29, 2014, opposer received notice that respondent-applicant Merck Sharp & Dohme Corp. filed for an Amendment in the above-captioned application for registration of the trademark XORILEX, limiting the statement of goods in Class 5 to "vaccine preparations." x x x

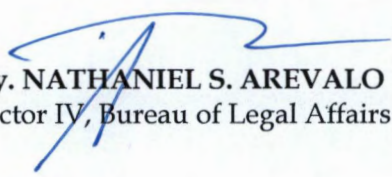
"4. In view of the foregoing, Opposer most respectfully withdraws the opposition to Application No. 4-2013-011758 for the mark XORILEX."

With the express withdrawal by the Opposer of its opposition to the subject trademark application, 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 Application No. 4-2013-00011758 be returned, together with a copy of this Order and the Opposer's Manifestation, to the Bureau of Trademarks for information and appropriate action.

**SO ORDERED.**

Taguig City, 16 May 2014.

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

Copy furnished:

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**MERCK SHARP & DOHME CORP.**  
*c/o SYCIP SALAZAR HERNANDEZ & GATMAITAN*  
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