



RED BULL AG,	}	IPC No. 14-2013-00359
Opposer,	}	Opposition to:
	}	
- versus -	}	Appln. Serial No. 4-2013-00006250
	}	Date Filed: 31 May 2013
BAYER CONSUMER CARE AG,	}	
Respondent-Applicant.	}	Trademark: REDOXON
x-----x	x	Order No. 2013 - <u>228</u> (D)

ORDER

The records show that this Bureau issued Order No. 2013-1233 dated 10 September 2013, directing the Opposer to present proof of payment of filing fee for the opposition within five (5) days from receipt thereof. The Order further states that the Opposer's failure to comply shall cause the denial of the motion and/or dismissal of the case in accordance with the amended rules.

Rule 2, Section 8(c) of the amended Rules and Regulations on Inter Partes Proceedings provides, to wit:

Section 8. Action on the Notice of Opposition or Motion for Extension to File Notice of Opposition and Petition. - x x x (c) The opposer, including those who file a motion for extension of time to file notice of opposition, or the petitioner shall be given a period of five (5) days from receipt of the order to complete or to cure any of the following defects:

(1) Non-payment in full or in part of the filing fees and other applicable fees;

x x x

Failure to complete or cure the defect shall cause the dismissal of the case. [Emphasis Supplied]

In the instant case, the period lapsed without the Opposer having complied with the Order requiring the payment of filing fee for the opposition.

WHEREFORE, premises considered, this case is hereby **DISMISSED**. Let the filewrapper of Trademark Application Serial No. 4-2013-00006250 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 29 November 2013.


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

Copy furnished:

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