



RED BULL AG,	}	IPC No. 14-2013-00180
Opposer,	}	Opposition to:
	}	
- versus -	}	Appln. Serial No. 4-2013-000640
	}	Date Filed: 21 January 2013
VICTOR CHIONG LEON UY CU,	}	
Respondent-Applicant.	}	Trademark: OXRYD
x-----x	x	Order No. 2013 - <u>143</u> (D)

ORDER

VICTOR CHIONG LEON UY CU ("Respondent-Applicant") filed on 19 July 2013 a Manifestation praying that the instant case be dismissed for failure of the Opposer to comply with the Order of this Bureau requiring the latter to present proof of payment of filing fee for the opposition and to file on time the Notice of Opposition.

The records show that on 10 June 2013, this Bureau issued Order No. 2013-825 directing the Opposer to present proof of payment of filing fee for the opposition within five (5) days from receipt of the said Order. The Opposer, however, failed to comply with the Order despite receipt thereof.

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.


In the instant case, the Opposer failed to present the required proof of payment of filing fee for the opposition within the prescribed period. Also, the extended period of thirty (30) days given to the Opposer lapsed without the latter having filed the Verified Notice of Opposition.

WHEREFORE, premises considered, this case is hereby **DISMISSED**. Let the filer wrapper of Trademark Application Serial No. 4-2013-000640 be returned, together

with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 08 August 2013.



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

Copy furnished:

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