



RITEMED PHILIPPINES, INC.,  
Opposer,

-versus-

BEROVAN MARKETING, INC.,  
Respondent – Applicant.

X-----X

}  
} IPC No. 14-2013-00377  
} Opposition to:  
} Appln. Serial No. 4-2013-00001043  
} Date filed: 30 January 2013  
} TM: "ROSEMED"  
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}

**NOTICE OF DECISION**

**OCHAVE & ESCALONA**  
Counsel for the Opposer  
No. 66 United Street  
Mandaluyong City

**E. F. ROSELLO & ASSOCIATES LAW OFFICE**  
Counsel for Respondent-Applicant  
Room 401 G. K. Chua Building  
M. J. Cuenco Avenue, Cebu City

**GREETINGS:**

Please be informed that Decision No. 2014 - 28 dated February 06, 2014 (copy enclosed) was promulgated in the above entitled case.

Taguig City, February 06, 2014.

For the Director:

  
**Atty. EDWIN DANILO A. DATING**  
Director III  
Bureau of Legal Affairs



RITEMED PHILIPPINES, INC.,	}	IPC No. 14-2013-00377
<i>Opposer,</i>	}	Opposition to:
	}	
	}	Appln. Serial No. 4-2013-00001043
-versus-	}	Date Filed: 30 January 2013
	}	
BEROVAN MARKETING, INC.,	}	TM: ROSEMED
<i>Respondent-Applicant.</i>	}	
x-----x		Decision No. 2014- <u>28</u>

**DECISION BASED ON  
COMPROMISE AGREEMENT**

RITEMED PHILIPPINES, INC. ("Opposer") and BEROVAN MARKETING, INC. ("Respondent-Applicant") filed on 04 February 2014 a Joint Motion to Approve Compromise Agreement.

The Joint Motion to Approve Compromise Agreement states that the parties have recorded their differences and, in order to reach a peaceful resolution, agreed to an amicable settlement of the instant case. The pertinent portion of the Compromise Agreement reads:

"1. BEROVAN hereby undertakes to:

(a) Limit the use of the trademark "ROSEMED" as it appears and as it is described in The Trademark Applications, as follows:

**ROSEMED**

"Two different colors used red for ROSE and green for MED. Specifically, the color code RED (ROSE) is #de1f26 and for green (MED) is 318as54a.

Font used is Bell MT".

For the avoidance of doubt, the limitation set forth above shall apply to the trademark, service mark, trade name and corporate name "ROSEMED".

"2. As consideration for the foregoing undertakings of BEROVAN, RITEMED hereby agrees to file a Joint Motion for Approval of this Compromise Agreement with the Bureau of Legal Affairs of the IPO.

"3. Each Party shall bear its own costs and expenses incurred in carrying out each of their respective undertakings and obligations required by this Agreement.

"4. The terms and conditions of this Compromise Agreement entered into by the Parties are not contrary to law, morals, good customs, public order or public policy.

This Bureau evaluated the COMPROMISE AGREEMENT and finds that the same has been duly entered into by the parties with the terms and conditions thereof not contrary to law, morals, good customs, public order or public policy.

Accordingly, an approved Compromise Agreement shall have the effect of a decision or judgment on the case and shall be enforced accordingly in accordance with the pertinent rules of IPO and the Rules of Court.

**WHEREFORE**, premises considered, the parties' Compromise Agreement is hereby **APPROVED**. Accordingly, the instant opposition case is hereby **DISMISSED**. Let the filewrapper of Trademark Application Serial No. 4-2013-00001043 be returned, together with a copy of this Decision, to the Bureau of Trademarks for information and appropriate action.

**SO ORDERED.**

Taguig City, 06 February 2014.

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