



RTRADE PLUS MARKETING, Opposer,	}	IPC No. 14-2012-00535
	}	Opposition to:
- versus -	}	Appln. Serial No. 4-2012-009412
	}	Date Filed: 31 July 2012
SUMITOMO CHEMICAL COMPANY, LIMITED,	}	Trademark: SYMPHONY
Respondent-Applicant.	}	
x-----x		Order No. 2013 - <u>150</u> (D)

ORDER

The records show that this Bureau issued Order No. 2013-126 dated 22 January 2013, directing the Opposer to pay the 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 pay the filing fee for the opposition within the prescribed period.

WHEREFORE, premises considered, this case is hereby **DISMISSED**. Let the filewrapper of Trademark Application Serial No. 4-2012-009412 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 22 August 2013.


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

Copy furnished:

RTRADE PLUS MARKETING

Opposer

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HECHANOVA AND CO. INC.

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