



SOCIETE DES PRODUITS NESTLE S.A.,	}	IPC No. 14-2012-00595
Opposer,	}	Opposition to:
	}	
- versus -	}	Appln. Serial No. 4-2011-011624
	}	Date Filed: 28 September 2011
UNITED HARVEST CORPORATION,	}	Trademark: MASKAPE & LABEL
Respondent-Applicant.	}	DESIGN
x-----x	x	Order No. 2013 - <u>38</u> (D)

ORDER

SOCIETE DES PRODUITS NESTLE S. A. ("Opposer") filed on 24 January 2013 a Manifestation, stating that it will not file a Second Motion for Extension of Time to File Verified Notice of Opposition and therefore, forfeits its right to file its Verified Notice of Opposition for the above-captioned case. The Opposer further manifested that this is without prejudice to its right to challenge any mark applied for registration by Respondent-Applicant which can be perceived as confusingly similar to Opposer's NESCAFE mark and other marks relative thereto.

With the express manifestation by the Opposer waiving its right to file Verified Notice of Opposition against 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 filer wrapper of Trademark Application Serial No. 4-2011-011624 be returned, together with a copy of this Order and the aforementioned Manifestation, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 06 February 2013.


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

Copy furnished:

SAPALO VELEZ BUNDANG & BULILAN
Counsel for Opposer
11th Floor Security Bank Center
6776 Ayala Avenue, Makati City

UNITED HARVEST CORPORATION
Respondent-Applicant
Unit 2B, GF & Partners Building
No. 139 H. V. dela Costa St., Makati City