



SUYEN CORPORATION,
Opposer,

-versus-

REVLON CONSUMER PRODUCTS CORP.,
Respondent –Applicant.

X-----X

IPC No. 14-2013-00004
Opposition to:
Appl. Serial No. 4-2012-009895
Date filed: 13 August 2012
TM: "REVLON LASH POTION"

NOTICE OF DECISION

MIGALLOS & LUNA LAW OFFICES

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7th Floor, The Phinma Plaza
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SYCIP SALAZAR HERNANDEZ & GATMAITAN

Counsel for the Respondent-Applicant
SyCip Law Center
105 Paseo de Roxas
Makati City

GREETINGS:

Please be informed that Decision No. 2014 - 44 dated February 19, 2014 (copy enclosed) was promulgated in the above entitled case.

Taguig City, February 19, 2014.

For the Director:


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



SUYEN CORPORATION,	}	IPC No. 14-2013-00004
<i>Opposer,</i>	}	
	}	Opposition to:
-versus-	}	Appln. No. : 4-2012-009895
	}	Date Filed: 13 August 2012
REVLON CONSUMER PRODUCTS	}	
CORPORATION,	}	
<i>Respondent-Applicant.</i>	}	TM: REVLON LASH POTION
x-----x	x	Decision No. 2014- 44

**DECISION BASED ON
COMPROMISE AGREEMENT**

SUYEN CORPORATION, ("Opposer") filed on 4 March 2013 an opposition to Trademark Application Serial No. 4-2012-009895. The application, filed by REVLON CONSUMER PRODUCTS CORPORATION, ("Respondent-Applicant"), covers the mark "REVLON LASH POTION" for use on goods under International Class 03.

This Bureau issued a Notice to Answer dated 12 March 2013 and served a copy thereof to Respondent-Applicant on 19 March 2013. The Respondent-Applicant filed its Answer on 17 June 2013.

In compliance to Office Order No. 154, s. 2010 ("*Rules of Procedure for IPO Mediation Proceedings*") and Office Order No. 197, s. 2010 ("*Mechanics for IPO Mediation Settlement Period*"), this Bureau issued on 9 July 2013 Order No. 2013-160 referring the case to mediation.

On 10 February 2014, the ADR Services of this Bureau submitted a Mediation Report indicating the successful mediation of the instant case. Attached to the report is the parties' Joint Manifestation and Motion stating, to wit:

"2. After several conferences and discussion, REVLON offered to limit the goods covered by its application and SUYEN agreed to withdraw the opposition under the following circumstances:

"2.1 REVLON manifested its intention to use the mark "REVLON LASH POTION" only for and in connection with "mascara" or cosmetic products commonly used to temporarily enhance or darken the human eyelashes.

To demonstrate its intention to use the mark "REVLON LASH POTION" as abovementioned, REVLON voluntarily amended the goods specified in its application from "Class 03 - cosmetics and make-up" to "Class 03 - mascara". A copy of the voluntary amendment filed by Revlon is attached as Annex "C".

"2.2 For and in consideration of the foregoing, SUYEN hereby agrees to withdraw the Opposition and REVLON conforms to such withdrawal.

"3. Pursuant to the above circumstances, including REVLON's voluntary limitation of the goods covered by its opposed application and SUYEN's withdrawal of the present Opposition, the parties hereby submit the foregoing for the approval by this Honorable Office."

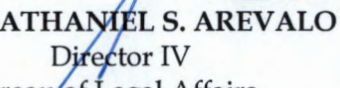
Accordingly, with the withdrawal by the Opposer of its opposition, there is no more reason nor basis to proceed with this case.

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.¹

WHEREFORE, premises considered, the parties' Joint Manifestation and Motion is hereby **APPROVED**. Accordingly, the instant opposition case is hereby **DISMISSED**. Let the filewrapper of Trademark Application No.4-2012-009895 be returned, together with a copy of this Decision, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 19 February 2014.



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

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¹ Office Order No. 154 Series of 2010.