



THE CLOROX COMPANY,
Opposer,

-versus-

HORHAG RESEARCH
MANAGEMENT S.A.,
Respondent- Applicant.

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IPC No. 14-2011-00286
Opposition to:
Appln. Serial No. 4-2010-012748
Date filed: 25 November 2010
TM: "PINEGENOL"

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NOTICE OF ORDER

SYCIP SALAZAR HERNANDEZ & GATMAITAN
Counsel for the Opposer
SyCip Law Center
105 Paseo de Roxas, Makati City

EMETERIO V. SOLIVEN & ASSOCIATES
LAW OFFICES
Counsel for Respondent-Applicant
G/F Soliven Building
860 Santo Tomas Street
Sampaloc, Manila

GREETINGS:

Please be informed that Order No. 2013 - 103 (D) dated June 03, 2013 (copy enclosed) was promulgated in the above entitled case.

Taguig City, June 03, 2013.

For the Director:


Atty. PAUSI U. SAPAK
Hearing Officer
Bureau of Legal Affairs



THE CLOROX COMPANY,
Opposer,

- versus -

HORPHAG RESEARCH
MANAGEMENT S.A.,
Respondent-Applicant.

IPC No. 14-2011-00286

Opposition to:

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Date Filed: 25 November 2010

Trademark: PINEGENOL

Order No. 2013- 103 (D)

ORDER

THE CLOROX COMPANY ("Opposer"), filed on 19 July 2011 an opposition to Trademark Application Serial No. 4-2010-012748. The application filed by HORPHAG RESEARCH MANAGEMENT S.A. ("Respondent-Applicant") covers the mark PINEGENOL for use on goods under Classes 3 and 5. The opposition is anchored on Section 123.1 (d), (e) and (f) of Republic Act No. 8293 otherwise known as The Intellectual Property Code of the Philippines.

This Bureau issued a Notice to Answer dated 20 July 2011 and served upon a copy thereof to Respondent-Applicant on 18 August 2011. The Respondent-Applicant filed its Answer on 12 September 2011.

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 31 July 2012 Order No. 2012-155 referring the case to mediation.

On 25 October 2012 the ADR Services of this Bureau submitted a Mediation Report indicating the successful mediation of the instant case. Attached to the report is the Opposer's Withdrawal of Opposition (Based on Respondent's Compliance with the terms agreed upon during mediation) stating, to wit:

"1. During the mediation proceedings, as a condition for its withdrawal of the subject opposition, Opposer demanded the limitation of goods covered by Respondent's Application No. 4-2010-012748 for PINEGENOL, as follows:

i. Respondent will withdraw/delete the following goods in Class 3 from its opposed application: "preparations for washing, bleaching, scrubbing, grease removing"

ii. Respondent-applicant will withdraw/delete the following goods in Class 5 from its opposed application: "disinfectants".

Republic of the Philippines

INTELLECTUAL PROPERTY OFFICE

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Fort Bonifacio, Taguig City 1634 Philippines

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"2. Respondent has agreed to the above demands of Opposer. On April 1, 2013, Respondent filed with the Bureau of Trademarks a request for amendment of the goods covered by its Application No. 4-2010-012748 for PINEGENOL to delete the goods "preparations for washing, bleaching, scrubbing, grease removing" from the Class 3 and the goods "disinfectants" from the Class 5 goods covered by said application. Attached, as Annex "A" hereof, is a copy of the Respondent's request for amendment as filed with the Bureau of Trademarks.

"3. Accordingly, in compliance with the terms agreed upon during the mediation proceedings, Opposer must withdraw the subject opposition.

IN VIEW OF THE FOREGOING, Opposer respectfully withdraws its opposition to Application No. 4-2010-012748 for PINEGENOL in the name of Respondent."


Accordingly, with the withdrawal by the Opposer of its opposition to Application No. 4-2010-012748, there is no more reason nor basis to proceed with this case.

WHEREFORE, premises considered, the instant opposition case is hereby **DISMISSED**.

Let the filewrapper of Trademark Application Serial No. 4-2010-012748 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 03 June 2013.


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