



THE PROCTER & GAMBLE COMPANY, }
Opposer, }
- versus - }
LIFE IS BEAUTIFUL, INC., }
Respondent-Applicant. }
x-----x

IPC No. 14-2014-00151
Opposition to:
Application No. 4-2014-500986
Date Filed: 03 March 2014
Trademark: VIVERE SALON & VS
STYLIZED MARK
Order No. 2014 - 60 (D)

ORDER

THE PROCTER & GAMBLE COMPANY ("Opposer") filed on 02 April 2014 a Motion for Extension of Time to File Notice of Opposition to Application No. 4-2014-500986. In its motion, the Opposer alleges that the subject application was published for opposition in the IPOP HL "e-Gazette" released on 03 March 2014.

The records and the trademark search database, however, show that the subject trademark application is still under examination with the Bureau of Trademarks.

In this regard, Rule 7, Section 2 of the Rules and Regulations on Inter Partes Proceedings, as amended, provides the period for filing opposition, to wit:

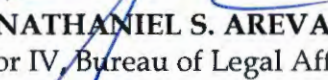
*"Section 2. Period to file opposition. - The verified notice of opposition must be filed within 30 days from the date of the publication of the trademark application in the IPOP HL "Gazette". Upon proper motion anchored on meritorious grounds which must be expressly indicated in the motion, and the payment of the filing fee for opposition and other applicable fees, the Bureau may grant an additional period of 30 days within which to file the opposition. A second motion for extension of 30 days may be granted on compelling grounds and upon payment of the applicable fees; *Provided*, that in no case will the filing of the opposition exceed ninety (90) days from the date of the aforementioned publication, *Provided, further*, that if the last day for filing of the verified opposition or motion for extension falls on a Saturday, Sunday, holiday, non-working day or on a day when the Office or the Bureau is closed for business as may be declared by the Director General, the filing must be done the next succeeding working day." [Emphasis supplied]*

Considering that the subject trademark application is not yet published for opposition and is still pending examination with the examiner of the Bureau of Trademarks, there is no factual or legal basis for the Opposer to file the opposition.

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

SO ORDERED.

Taguig City, 07 April 2014.


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

Copy furnished:

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