



VIRGILIO LEE CO,
Complainant,

} IPV No: 10-2013-00001
} For: Violation of Intellectual
} Property Rights

-versus-

EVERGOOD PLASTIC INDUSTRY INC.,
Respondent.

X-----X

NOTICE OF DECISION

ATTY. SALVADOR B. BELARO JR.

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Counsel for Respondent
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337 Sen. Gil Puyat Avenue
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GREETINGS:

Please be informed that Decision No. 2013 - 10 dated August 13, 2013 (copy enclosed) was promulgated in the above entitled case.

Taguig City, August 13, 2013.

For the Director:


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



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Complainant,

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Property Rights

Decision No.2013- 10

**DECISION
BASED ON COMPROMISE AGREEMENT**

VIRGILIO LEE CO, ("Complainant"), filed on 17 January 2013, a complaint against **EVERGOOD PLASTIC INDUSTRY, INC.**, ("Respondent") for alleged violation of intellectual property rights. The Complainant assails the Respondent's alleged illegal acts of marketing, distributing, and selling counterfeit products that were covered by the patent registration of said Complainant.

On 01 March 2013, the Respondent filed its Answer refuting the material allegations of the Complainant.

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 and Settlement Period"*), this Bureau issued on 07 March 2013 Order No. 2013-71 referring the case to mediation.

On 22 July 2013, this Bureau received a "MEDIATOR'S REPORT" indicating the successful mediation of the instant case. Attached to the report is the parties' "JOINT MANIFESTATION AND MOTION TO DISMISS" submitted to this Bureau for approval. The Agreement states, among other things:

"The Parties assisted by their respective counsels respectfully manifest as follows:

"1. They most respectfully manifest before this Honorable Office that after considering the attendant facts that gave rise to the filing of the instant Complaint, they mutually realize that it is a result of a misunderstanding between them.

"2. In view thereof, with the view that a similar action will no longer be filed in the future by either party, they commit to the upholding of each other's intellectual property rights.

"3. As for the instant case, they already reached a settlement as to the corollary cost arising from the filing of this case and decided to jointly ask this Honorable Office for the dismissal of the instant case."

The settlement reached by and between the parties, as conveyed to this Bureau through the instant JOINT MANIFESTATION AND MOTION TO DISMISS has been duly entered into by the parties with the terms and conditions thereof not contrary to law, morals, good custom, public order or public policy.

WHEREFORE, premises considered, the instant IPV Case is hereby DISMISSED.

SO ORDERED.

Taguig City, 13 August 2013.


ATTY. NATHANIEL S. AREVALO
Director IV
Bureau of Legal Affairs