



VALENTINO S.p.A.,
Petitioner,

-versus-

CONE INDUSTRIES, INC.,
Respondent – Registrant.

}
} **IPC No. 14-2004-00056**
} Petition for Cancellation of:
} Registration No. 34828
} Date Issued: 21 October 1985
} **TM: "V LOGO"**
}

X-----X

NOTICE OF DECISION

SAPALO VELEZ BUNDANG & BULILAN

Counsel for Petitioner
11th Floor, Security Bank Centre
6776 Ayala Avenue, Makati City

FERIA FERIA LA'O TANTOCO


Counsel for the Respondent-Registrant
8th Floor, DPC Place 2322 Don Chico Roces Avenue
Makati City

GREETINGS:

Please be informed that Decision No. 2014 - 260 dated October 20, 2014 (copy enclosed) was promulgated in the above entitled case.

Taguig City, October 20, 2014.

For the Director:


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



VALENTINO S.p.A.,	}	IPC NO. 14-2004-00056
Petitioner,	}	
	}	Petition for Cancellation of:
- versus -	}	Registration No. 34828
	}	Date Issued: 21 October 1985
CONE INDUSTRIES, INC.,	}	Trademark: V LOGO
Respondent-Registrant.	}	
X-----X		Decision No. 2014 - <u>260</u>

**DECISION
BASED ON COMPROMISE AGREEMENT**

VALENTINO GLOBE B.V., ("Petitioner") filed a petition to cancel Trademark Registration No. 34828. The registration issued to **CONE INDUSTRIES, INC.** ("Respondent-Registrant") covers the mark **V LOGO** for use on goods under Class 25.

This Bureau issued a Notice to Answer dated 05 May 2004 and served a copy thereof to Respondent-Registrant on 12 May 2004. The Respondent-Registrant filed its Answer on 19 July 2004. On 18 August 2014, the parties filed their Compromise Agreement, the pertinent portion of which reads:

"NOW THEREFORE, in view of the above premises and for other good valid considerations, the parties hereby agree as follows:

"1. 77th STREET, INC. hereby undertakes:

- a. To assign in favor of VALENTINO S.p.A., its trademark Registration No. 34828 for the mark 'V LOGO' covering goods under class 25 issued on October 21, 1985 by the then BPTTT now IPOPHL;
- b. To withdraw any and all other current or pending trademark applications or registrations which it may have over the mark 'V LOGO' and/or any mark which closely resembles or is identical with it;
- c. Not to use, apply for, and/or register at anytime the 'V LOGO' mark and/or any mark which closely resembles or is confusingly similar with the 'V LOGO', VALENTINO and derivative trademarks;
- d. Not to oppose the future applications for registration or

seek cancellation of registration of the 'V LOGO', VALENTINO and derivative trademarks by VALENTINO S.p.A.; and

e. To withdraw all its counter-claims against VALENTINO S.p.A. which are raised in IPC No. 14-2004-00056.

"2. **VALENTINO S.p.A.**, on the other hand, agrees:

a. To pay 77th STREET, INC. the amount of SEVENTEEN THOUSAND FIVE HUNDRED U. S. DOLLARS (US\$17,500.00) as consideration for the assignment of Trademark Registration No. 34828 for the 'V LOGO' mark covering 'jeans, pants and jackets' under class 25 issued on October 21, 1985 by the IPOPHL; and

b. To withdraw the instant cancellation case docketed as IPC No. 14-2004-00056 filed on April 16, 2004 upon recordal of the assignment of the subject registration before the IPOPHL.

"3. This Compromise Agreement shall bind the parties, their affiliates, assignees and successors-in-interest exclusively.

"4. The parties hereby release, waive and quitclaim any and all claims or causes of action against each other related to or involved in any of the matters alleged in IPC No. 14-2004-00056.

"5. The parties undertake to observe the terms and conditions of this Agreement in utmost good faith.

"6. The parties shall bear their respective expenses incurred in this case.

"7. This Agreement shall become effective and enforceable immediately upon approval by this Honorable Office of a duly signed copy thereof."

This Bureau evaluated the Compromise Agreement and finds that the same has been duly entered into by the parties with the terms and conditions thereof not contrary to law, morals, good customs, public order or public policy.

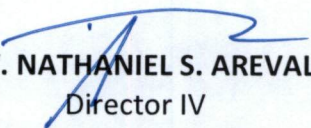
Accordingly, an approved Compromise Agreement shall have the effect of a decision or judgment on the case and shall be enforced accordingly in accordance with the pertinent rules of IPO and the Rules of Court (Sec. 5, Office Order No. 154, s. 2010).

WHEREFORE, premises considered, the parties' COMPROMISE AGREEMENT is hereby **APPROVED**. Accordingly, the instant cancellation case is hereby **DISMISSED**. Let the

filewrapper of Certificate of Registration No. 34828 be returned, together with a copy of this Decision, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 20 October 2014.


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

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