



APPLE INC.,
Opposer,

-versus-

FAUSTINO L. CO SHU KIAM,
Respondent-Applicant.

X-----X

}
} IPC No. 14-2013-00189
} Opposition to:
} Appln No. 4-2012-502354
} Date filed: 07 September 2012
} TM: "WIPOD AND DEVICE"
}

NOTICE OF ORDER

QUISUMBING TORRES
Counsel for the Opposer
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26th Street corner 3rd Avenue
Crescent Park West, Bonifacio Global City
Taguig, Metro Manila

FAUSTINO L CO SHU KIAM
Respondent-Applicant
#5 Ideal St. cor Mc Collough Sts.
Brgy. Addition Hills
Mandaluyong, Metro Manila

GREETINGS:

Please be informed that Order No. 2014 - 199 (D) dated December 02, 2014 (copy enclosed) was promulgated in the above entitled case.

Taguig City, December 02, 2014.

For the Director:

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



APPLE INC.,)	IPC No. 14-2013-00189
Opposer,)	
)	Opposition to:
-versus-)	Appln. Serial No. 4-2012-502354
)	Date Filed: 07 September 2012
FAUSTINO L. CO SHU KIAM,)	Trademark: WIPOD AND DEVICE
Respondent-Applicant.)	
x-----x	x	Order No. 2014 - <u>199 (D)</u>

ORDER

APPLE INC., ("Opposer"), filed an opposition to Trademark Application Serial No. 4-2012-502354. The application filed by FAUSTINO L. CO SHU KIAM ("Respondent-Applicant") covers the mark **WIPOD AND DEVICE** for use on goods under Class 07. The opposition is anchored on Section 123.1 paragraphs (d), (e), (f) and (g) of R.A No. 8293, also known as the Intellectual Property Code of the Philippines ("IP Code").

Pursuant to the Regulations on the Inter Partes Proceedings, this Bureau issued a Notice to Answer and served a copy thereof to Respondent-Applicant on 23 July 2013. the Respondent-Applicant however, did not file its Verified Answer. On 18 December 2013, this Bureau issued Order No. 2013-1683 declaring Respondent-Applicant in default for failure to file an answer.

On 27 October 2014, however, the Opposer filed a Manifestation stating that the instant opposition case should already be dismissed. Attached to the Manifestation is the photocopy of the letter as filed with the Bureau of Trademarks (BOT) dated 23 August 2013, to wit:

"I hereby respectfully manifest that I am no longer interested in registering the 'WIPOD AND DEVICE' trademark, covered by the above mentioned trademark application, or from otherwise pursuing my trademark application therefor.

Accordingly, I hereby respectfully request that this letter be included in the filewrapper of Trademark Application Serial No. 4-2012-502354 for 'WIPOD AND DEVICE', and that said application be deemed by the Bureau of Trademarks as abandoned."

With the express withdrawal or abandonment by the Respondent-Applicant of Trademark Application Serial No. 4-2012-502354, 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. 4-2012-502354 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 02 December 2014.



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