



BRIGGS & STRATTON	}	IPC No. 14-2014-00332
CORPORATION,	}	Opposition to:
Opposer,	}	
	}	Application No. 4-2013-00014810
- versus -	}	Date Filed: 11 December 2013
	}	
TONG TAH TRADING ENTERPRISES,	}	TM: VANGARD POWER-TECH
Respondent-Applicant.	}	
x-----x	}	Order No. 2014 - <u>196</u> (D)

ORDER

TONG TAH TRADING ENTERPRISES ("Respondent-Applicant") filed on 20 November 2014 a letter addressed to the Assistant Director of the Bureau of Legal Affairs. The letter states that:

"x x x

While "Vanguard" and "Vangard" are differently spelled we submit that the mark we applied is confusingly similar and seems to be identical to the Opposer's well known Vanguard trademark.

Thus, finding that the notice of opposition by Briggs & Stratton Corporation is deemed necessary, we asked that the trademark we applied under Application No. 4-2013-00014810 be cancelled and deleted in your Registration Records."

This Bureau treats the Respondent-Applicant's manifestation as tantamount to the voluntary abandonment or withdrawal of its trademark application. Thus, with the voluntary abandonment or withdrawal by the Respondent-Applicant of its trademark application, there is no more factual or legal basis to proceed with this case.

WHEREFORE, premises considered, the instant case is hereby **DISMISSED**. Let the filewrapper of Trademark Application No. 4-2013-00014810 be returned, together with a copy of this Order and the Respondent-Applicant's letter, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 10 December 2014.


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

Copy furnished:

QUISUMBING TORRES

Counsel for Opposer

12th Floor Net One Center

26th Street corner 3rd Avenue

Crescent Park West, Bonifacio Global City

Taguig, Metro Manila 1634

VICS CONSTRUCTION & SON'S CO.

Respondent-Applicant's Representative

111 Quezon Avenue

Quezon City