



CHRISTOPH PAUL JACOB LOCHER,  
Opposer,

-versus-

CHARMAINE GASKELL PINEDA,  
Respondent-Applicant.

X-----X

}  
} IPC No. 14-2012-00493  
} Opposition to:  
} Appln No. 4-2012-008924  
} Date filed: 23 July 2013  
} TM: "PANIZZA DON CARMELLO"  
}  
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}  
}

**NOTICE OF ORDER**

**BETITA CABILAO CASUELA SARMIENTO**  
Counsel for the Opposer  
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1215 Acasia Avenue  
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Ayala Alabang, Muntinlupa City

**ACERON PUNZALAN VEHEMENTE AVILA &  
DEL PRADO LAW OFFICES**  
Counsel for Respondent-Applicant  
31<sup>st</sup> Floor, Atlanta Center, 31 Annapolis Street, Greenhills  
San Juan, Metro Manila

**GREETINGS:**

Please be informed that Order No. 2014 - 203 (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



CHRISTOPH PAUL JACOB LOCHER,	)	IPC No. 14-2012-00493
Opposer,	)	
	)	Opposition to:
-versus-	)	Appln. Serial No. 4-2012-008924
	)	Date Filed: 23 July 2013
CHARMAINE GASKELL PINEDA,	)	Trademark: <b>PANIZZA DON</b>
	)	<b>CARMELLO</b>
Respondent-Applicant.	)	
x-----x	)	Order No. 2014 - <u>263</u>

### ORDER

**CHRISTOPH PAUL JACOB LOCHER** ("Opposer"), filed an opposition to Trademark Application Serial No. 4-2012-008924. The application filed by **CHARMAINE GASKELL PINEDA** ("Respondent-Applicant") covers the mark **PANIZZA DON CARMELLO** for use on goods under Class 30. The opposition is anchored on Section 123.1 paragraphs (c), (h) and (i) 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 25 January 2013. The Respondent-Applicant filed its Answer on 11 March 2013. On 18 March 2013, this Bureau issued Order No. 2013-447 requiring Respondent-Applicant to submit the original Verification and Certification of Non-Forum Shopping and Special Power of Attorney within five (5) days from the receipt of the said Order. On 20 February 2014, Respondent-Applicant submitted its compliance with attached original Verification and Certification of Non-Forum Shopping and Special Power of Attorney. However, the Compliance was filed out of time.

On 27 October 2014, the Opposer filed a Consolidated Motions to Dismiss stating that it is no longer interested in questioning the right of Respondent-Applicant to register and use the assailed marks including the trademark "PANIZZA DON CARMELLO". The Opposer thus manifest its withdrawal of the notices of opposition and petition for cancellation it filed against the Respondent-Applicant.

Accordingly, with the withdrawal by the Opposer of its opposition to the subject trademark application, 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. 4-2012-008924 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