



BIONIC WHEELS MERCHANDISING INCORPORATED,	}	IPC No. 14-2014-00394
Opposer,	}	Opposition to:
	}	
- versus -	}	Application No. 4-2014-00003756
	}	Date Filed: 26 March 2014
	}	
ALWIN T. GO,	}	Trademark: BASCmi
Respondent-Applicant.	}	
x-----x	x	Order No. 2015 - <u>11</u> (D)

ORDER

The records show that this Bureau issued Order No. 2014-1166 dated 12 September 2014, directing the Opposer to present proof of payment of filing fee for the Opposition within ten (10) days from receipt of the said Order. The Opposer, however, failed to comply with the Order despite receipt thereof.

Rule 2, Section 8 (c) of the amended Rules and Regulations on Inter Partes Proceedings (*promulgated through Office Order No. 99, as amended by Office Order No. 14-068, s. 2014*), provides, to wit:

Section 8. *Action on the Notice of Opposition or Motion for Extension to File Notice of Opposition and Petition.* - x x x (c) The opposer, including those who file a motion for extension of time to file notice of opposition, or the petitioner shall be given a period of ten (10) days from receipt of the order to complete or to cure any of the following defects:

(1) Non-payment in full or in part of the filing fees and other applicable fees;

x x x


Failure to complete or cure the defect shall cause the dismissal of the case. [Emphasis Supplied]

In the instant case, the Opposer failed to pay the filing fee for the opposition within the prescribed period.

WHEREFORE, premises considered, this case is hereby **DISMISSED**. Let the filewrapper of Trademark Application Serial No. 4-2014-00003756 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 30 January 2015.


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

Copy furnished:

BETITA CABILAO CASUELA SARMIENTO

Counsel for Opposer

Suite 1104 Page One Building

1215 Acacia Avenue

Madrigal Business Park

Ayala Alabang, Muntinlupa City 1780

ALWIN T. GO

Respondent-Applicant

42-A Albany Street, Barangay Silangan

Cubao, Quezon City