



GOOGLE INC.,	}	IPC NO. 14-2014-00267
Opposer,	}	Opposition to:
	}	
- versus -	}	Application Serial No. 4-2012-013928
	}	Date Filed: 15 November 2012
DIGITEL MOBILE PHILIPPINES, INC.,	}	Trademark: SUNDROID RUSH
Respondent-Applicant.	}	
x-----x		Order No. 2015 - <u>23(D)</u>

ORDER

GOOGLE INC. ("Opposer"), filed an opposition to Trademark Application Serial No. 4-2012-013928. The application filed by **DIGITEL MOBILE PHILIPPINES, INC.** ("Respondent-Applicant"), covers the mark **SUNDROID RUSH** for use on goods under Class 38. The opposition is anchored on Section 123.1 paragraphs (d) (e) and (f) of R.A. 8293 also known as the Intellectual Property Code of the Philippines ("IP Code").

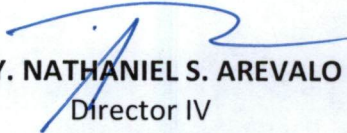
Pursuant to the Regulations on Inter Partes Proceedings, this Bureau issued a Notice to Answer and served a copy thereof to Respondent-Applicant on 02 October 2014. The Respondent-Applicant did not file an Answer. On 06 February 2015, this Bureau issued an order declaring the Respondent-Applicant in default. However, parties filed on 06 February 2015 a Joint Manifestation stating that the parties have reached a compromise and that the Respondent-Applicant is withdrawing its application for Trademark No. 4-2012-013928 for **SUNDROID RUSH**. Attached to the Manifestation is the parties' Memorandum of Agreement executed on 30 January 2015.

Accordingly, with the withdrawal by the Respondent-Applicant of its 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. 4-2012-013928 be returned, together with a copy of this Decision, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 12 February 2015.


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

Copy furnished:

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