



BENZENITO Z. JANDOC, Opposer,	}	IPC No. 14-2015-00300
	}	Opposition to:
	}	
-versus-	}	Application No. 4-2014-00504158
	}	Date Filed: 12 September 2014
	}	
SUPERBRAND MARKETING INTERNATIONAL, INC., Respondent-Applicant.	}	Trademark: THE PHILIPPINES' ADMIRED BRANDS CERTIFIED GOLD
x-----x		Order No. 2015 - <u>127</u> (D)

ORDER

BENZENITO Z. JANDOC ("Opposer") filed on 25 June 2015 a Motion for Extension of Time to File Verified Notice of Opposition. In its motion, the Opposer alleges that the subject application was published for opposition in the IPO e-Gazette on 25 May 2015.

Rule 7, Section 2 of the Rules and Regulations on Inter Partes Proceedings, as amended¹, provides the period for filing opposition, to wit:

"Section 2. *Period to file opposition.* - The verified notice of opposition must be filed within 30 days from the date of the publication of the trademark application in the IPOPHL "Gazette". Upon proper motion anchored on meritorious grounds which must be expressly indicated in the motion, and the payment of the filing fee for opposition and other applicable fees, the Bureau may grant an additional period of 30 days within which to file the opposition. A second motion for extension of 30 days may be granted on compelling grounds and upon payment of the applicable fees; *Provided*, that in no case will the filing of the opposition exceed ninety (90) days from the date of the aforementioned publication, *Provided, further*, that if the last day for filing of the verified opposition or motion for extension falls on a Saturday, Sunday, holiday, non-working day or on a day when the Office or the Bureau is closed for business as may be declared by the Director General, the filing must be done the next succeeding working day." [Emphasis supplied]


Thus, since the subject trademark application was published for opposition on 25 May 2015, the verified notice of opposition or a motion for extension of time to file the same should have been filed thirty (30) days from 25 May 2015 or until 24 June 2015. The filing, therefore, of the Opposer's Motion for Extension of Time to File Verified Notice of Opposition on 25 June 2015 is clearly beyond the reglementary period.

¹ Promulgated through Office Order No. 99, series of 2011.

WHEREFORE, premises considered, the Opposer's Motion for Extension of Time to File Verified Notice of Opposition filed on 25 June 2015 is hereby **DENIED**. Accordingly, the instant opposition case is hereby **DISMISSED**. Let the filewrapper of Trademark Application No. 4-2014-00504158 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 29 June 2015.


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

Copy furnished:

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