



GINEBRA SAN MIGUEL, INC.,	}	IPC NO. 14-2013-00144
Opposer,	}	Opposition to:
	}	
- versus -	}	Application Serial No. 4-2012-013580
	}	Date Filed: 08 November 2012
TANDUAY DISTILLERS, INC.,	}	Trademark: GINEBRA ORANGE
Respondent-Applicant.	}	
x-----x		Order No. 2015 - <u>131 (D)</u>

ORDER

GINEBRA SAN MIGUEL, INC ("Opposer"), filed on 13 June 2013 an opposition to Trademark Application Serial No. 4-2012-013580. The application filed by TANDUAY DISTILLERS, INC., ("Respondent-Applicant"), covers the mark **GINEBRA ORANGE** for use on goods under Class 33. The opposition is anchored on Section 123.1 (d) of R.A. 8293, also known as the Intellectual Property Code of the Philippines ("IP Code").

This Bureau issued a Notice to Answer and served a copy thereof to the Respondent-Applicant on 11 July 2013. The Respondent-Applicant filed its Answer on 09 September 2013.

Pursuant to Office Order No. 154, s. 2010 (*"Rules of Procedure for IPO Mediation Proceedings"*) and Office Order No. 197, s. 2010 (*"Mechanics for IPO Mediation and Settlement Period"*), this Bureau issued on 16 October 2013 Order No. 2013-236 referring the case to mediation. The case undergone mediation proper, but the parties failed to come or agree to an amicable settlement. Consequently, the case was scheduled for a preliminary conference.

On 22 January 2014, the Respondent-Applicant filed a Motion to Withdraw Application for the mark "GINEBRA ORANGE" with Application No. 4-2012-013580.

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. 4-2012-013580 be returned, together with a copy of this Order to the Bureau of Trademark (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 22 June 2015.


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

Copy furnished:

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