



THE SCOTCH WHISKY ASSOCIATION, Opposer,	}	IPC No. 14-2015-00260
	}	Opposition to:
-versus-	}	Application No. 4-2015-00001612
	}	Date Filed: 12 February 2015
WHYTE & MACKAY LIMITED, Respondent-Applicant.	}	Trademark: CLAYMORE
x-----x	}	Order No. 2015 - <u>146</u> (D)

### ORDER

THE SCOTCH WHISKY ASSOCIATION ("Opposer") filed on 10 July 2015 a Manifestation (Re: Restriction of Specification of Goods). The Manifestation states, among other things, that:

"3. On 23 June 2015, Respondent-Applicant filed a Request with the Bureau of Trademarks to restrict the specification of goods of the subject Application under Class 33 to "only Scotch Whisky and based liqueurs produced in Scotland" as far as whisky is concerned. A copy of the said request is attached hereto as Annex 'A'.


"4. In view of the voluntary amendment by Respondent-Applicant to restrict its specification of goods "only Scotch Whisky and based liqueurs produced in Scotland" as far as whisky is concerned, the Opposer's subject Application has been rendered moot."

With the voluntary amendment by the Respondent-Applicant to restrict the specification of its goods and considering the Opposer's manifestation that the subject application has been rendered moot, there is no more factual or legal basis to proceed with this case.

**WHEREFORE**, premises considered, the instant case is hereby **DISMISSED**. Let the filewrapper of Trademark Application No. 4-2015-00001612 be returned, together with a copy of this Order and the Opposer's Manifestation, to the Bureau of Trademarks for information and appropriate action.

**SO ORDERED.**

Taguig City, 22 July 2015.

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

Copy furnished:

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**EMPERADOR DISTILLERS, INC.**

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