



**SANOFI-AVENTIS DEUTSCHLAND
GMBH,** }
Opposer, }
-versus- }
GELTEC PTE. LTD., }
Respondent-Applicant. }

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IPC NO. 14-2015-00203
Opposition to:
Appln. Ser. No. 4-2014-505128
Date Filed: 30 October 2014
Trademark: **PRESCRIPTIVES
TRIACE**
Order No. 2015- 183 (D)

ORDER

The records show that this Bureau issued Order No. 2015-1052 dated 21 July 2015, directing the Opposer to submit the original, legalized and authenticated Special Power of Attorney within ten (10) days from receipt of the Order. The Order further states that the Opposer's failure to comply with the same shall cause the dismissal of the case.

On 11 August 2015, the Opposer filed a Manifestation and Compliance submitting the original, legalized and authenticated Special Power of Attorney duly authenticated by the Embassy of the Philippines Berlin, Germany on 03 August 2015.

In the instant case, the Opposer filed its Verified Notice of Opposition on 13 July 2015 and has submitted the original authenticated Special Power of Attorney beyond the period allowed under the rules. Also, the Special Power of Attorney was authenticated only on 03 August 2015 or beyond the filing of the opposition, contrary to Section 7 (b) of the amended rules, which provides that:

Section 7. Filing Requirements for Opposition and Petition. - x x x (b) x x x The verification and certification of non-forum shopping as well as the documents showing the authority of the signatory or signatories thereto, affidavits and other supporting documents, if executed and notarized abroad, must have been authenticated by the appropriate Philippine diplomatic or consular office. The execution and authentication of these documents must have been done before the filing of the opposition or petition. [Emphasis supplied]

WHEREFORE, premises considered, this case is hereby **DISMISSED**. Let the filer wrapper of Trademark Application Serial No. 4-2014-505128 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 15 September 2015.


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

Copy furnished:

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