



THE GILLETE COMPANY,	}	IPC No. 14-2014-00409
<i>Opposer,</i>	}	Opposition to:
	}	Appln. Serial No. 4-2014-001149
- versus -	}	Date Filed: 28 January 2014
	}	TM: DYNACELL
DAIRYFARM ESTABLISHMENT,	}	
<i>Respondent-Applicant.</i>	}	Order No. 2015 - <u>166 (D)</u>
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ORDER

THE GILLETE COMPANY ("Opposer") filed on 10 November 2014 an opposition to Trademark Application Serial No. 4-2014-001149. The application filed by DAIRYFARM ESTABLISHMENT ("Respondent-Applicant") covers the mark DYNACELL for use on goods under Classes 9 and 11. The opposition is anchored on Sections 123.1 (d) of Republic Act No. 8293 otherwise known as The Intellectual Property Code of the Philippines.

Pursuant to the Regulations on Inter Partes Proceedings, this Bureau issued a Notice to Answer and served a copy thereof to Respondent-Applicant on 19 November 2014. The Respondent-Applicant failed to file its Answer.

On 28 July 2015, the Respondent-Applicant filed a Manifestation stating that it is no longer interested in registering the DYNACELL mark. Attached to the manifestation is a copy of the Respondent-Applicant's Letter dated 22 July 2015 addressed to the Director of the Bureau of Trademarks voluntarily abandoning the trademark application for DYNACELL.

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. 4-2014-001149 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 25 August 2015.


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

Copy furnished:

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