



BRIGGS AND STRATTON CORPORATION,	}	IPC No. 14-2012-00371
Petitioner,	}	
	}	Petition for Cancellation of:
- versus -	}	Registration No. 4-2011-014156
	}	Date Issued: 02 February 2012
EDUARDO G. PASTOREL,	}	Trademark: VANGUARD AND DEVICE
Respondent-Registrant.	}	
x-----x		Order No. 2015 - <u>191 (D)</u>

ORDER

BRIGGS AND STRATTON CORPORATION ("Petitioner"), filed on 13 August 2012 a petition for cancellation of Trademark Registration No. 4-2011-014156. The registration issued to **EDUARDO G. PASTOREL** ("Respondent-Registrant") covers the mark "**VANGUARD AND DEVICE**" for use on goods under Class 07.

This Bureau issued a Notice to Answer and served a copy thereof to the Respondent-Registrant on 10 September 2012. On 10 December 2012, Respondent-Registrant filed its Answer to the petition refuting the Petitioner's allegations.

In compliance 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 30 January 2013 Order No. 2013-028 referring the case to mediation. The mediation, however, was terminated and the preliminary conference was conducted.

On 10 July 2015, the Petitioner filed a Manifestation and Motion stating that both parties have entered into an agreement to amicably settle their dispute. According to the Petitioner, the Respondent-Registrant has assigned to it the VANGUARD AND DEVICE mark under Registration No. 4-2011-014156. Thus the Petitioner moves for the dismissal of the instant case.

Accordingly, in view of the Manifestation filed by the Petitioner, there is no more reason or basis to proceed with this case.

WHEREFORE, premises considered, the instant cancellation case is hereby **DISMISSED**. Let the filewrapper of Certificate of Registration No. 4-2011-014156 be returned, together with a copy of this Order to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 30 September 2015.


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

Copy furnished:

QUISUMBING TORRES

Counsel for Petitioner
12th Floor, Net One Center
26th Street corner 3rd Avenue
Crescent Park West, Bonifacio Global City
Taguig, Metro Manila

SANIDAD VITERBO ENRIQUEZ & TAN

Counsel for Respondent-Registrant
2nd Floor, Eastside Building
77 Malakas Street, Brgy. Pinyahan
Diliman, Quezon City

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