



BRIGGS AND STRATTON CORPORATION, } Petitioner, }	IPC No. 14-2012-00372
- versus - }	Petition for Cancellation of: Registration No. 4-2011-014155 Date Issued: 02 February 2012
EDUARDO G. PASTOREL, } Respondent-Registrant. }	Trademark: VANGUARD AND DEVICE
X-----X	Order No. 2015 - <u>190 (D)</u>

ORDER

BRIGGS AND STRATTON CORPORATION ("Petitioner"), filed on 13 August 2012 a petition for cancellation of Trademark Registration No. 4-2011-014155. The registration issued to **EDUARDO G. PASTOREL** ("Respondent-Registrant") covers the mark "**VANGUARD AND DEVICE**" for use on goods under Class 35.

This Bureau issued a Notice to Answer and served a copy thereof to the Respondent-Registrant on 27 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 01 April 2013 Order No. 2013-81 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. 4-2011-014155. 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. 4-2011-014155 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:

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