

EMERY OLEOCHEMICALS GMBH,	}	IPC No. 14-2011-00219
<i>Opposer,</i>	}	Opposition to:
	}	Appln. Ser. No. 4-2010-09464
-versus-	}	Date Filed: 27 August 2010
	}	Trademark: EMERION
BAYER AKTIENGESELLSCHAFT,	}	
<i>Respondent-Applicant.</i>	}	Order No. 2016- <u>108</u> (D)
x-----x		

ORDER

EMERY OLEOCHEMICALS GMBH ("Opposer") filed on 07 June 2011 an opposition to Trademark Application Serial No. No. 4-2010-09464. The application filed by BAYER AKTIENGESELLSCHAFT ("Respondent-Applicant") covers the mark EMERION for use on goods under Classes 1 and 5.

Pursuant to the Regulations on Inter Partes Proceedings, this Bureau issued a Notice to Answer and served a copy thereof to Respondent-Applicant on 08 July 2011. However, the Respondent-Applicant did not file its Answer.

On 04 January 2016, the Opposer filed a Manifestation stating that the parties have reached an agreement in relation to the instant opposition case and that Respondent-Applicant has assigned the opposed mark EMERION under Application No. 4-2010-09464 to Opposer's affiliated entity Emery Oleochemicals Sdn Bhd. Attached to the Manifestation is a copy of the recordal request and the corresponding notice of recordal issued by the Bureau of Trademarks.

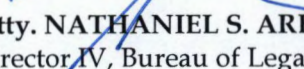
Accordingly, with the assignment by the Respondent-Applicant of its trademark application in favor of the Opposer, there is no more reason nor basis to proceed with this case.

WHEREFORE, premises considered, the instant opposition case is hereby **DISMISSED**.

Let the filewrapper of Trademark Application Serial No. 4-2010-09464 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, **31 MAY 2016**


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

Copy furnished:

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