



HUGO BOSS TRADEMARK MANAGEMENT }
 GmbH & CO., KG., }
 Opposer, }
 }
 -versus- }
 }
 GOLDEN ABC, INCORPORATED, }
 Respondent-Applicant. }
 X-----X

IPC NO. 14-2013-00489
 Opposition to:
 Application Serial No. 4-2013-00007010
 Date Filed: 17 June 2013
 Trademark: DEEP BLUE
 Order No. 2016 - 816

ORDER

HUGO BOSS TRADEMARK MANAGEMENT GmbH & CO., KG., (“Opposer”), filed on 03 March 2014 an opposition to Trademark Application Serial No. 4-2013-00007010. The application filed by GOLDEN ABC, INCORPORATED, (“Respondent-Applicant”), covers the mark “DEEP BLUE” for use on goods under Class 03. The opposition is anchored on Section 123.1 paragraphs (d) and (f) of R.A. No. 8293, also known as the Intellectual Property Code of the Philippines (“IP Code”).

This Bureau issued a Notice to Answer and served a copy thereof to the Respondent-Applicant on 14 March 2014. The Respondent-Applicant filed its Answer on 13 June 2014.

Pursuant 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 18 June 2014 Order No. 2014-95 referring the case to mediation. The case undergone mediation proper, but the parties failed to come or agree to an amicable settlement. Consequently, the case was scheduled for a preliminary conference.

On 18 March 2016, however, the Respondent-Applicant filed a Declaration of Abandonment stating that it is expressly abandoning the aforementioned application.

Accordingly, in view of the abandonment by the Respondent-Applicant of the subject trademark application, there is no more reason or basis to proceed with this case.

WHEREFORE, premises considered, the instant opposition case is hereby **DISMISSED**. Let the filer wrapper of Trademark Application Serial No. 4-2013-00007010 be returned, together with a copy of this Order to the Bureau of Trademark (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 14 April 2016.


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

Copy furnished:

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