



INTELLECTUAL PROPERTY  
OFFICE OF THE  
PHILIPPINES

FUEL ESPRESSO LIMITED,  
Opposer,

-versus-

BURGER FUEL INTERNATIONAL  
LIMITED,

Respondent-Applicant.

x-----x

IPC No. 14-2015-00406

Opposition to:

Application No. M/0000/01256997

Date Filed: 09 April 2015

Trademark: FUEL FOR THE  
HUMAN ENGINE

Order No. 2016 - 21 (D)

### ORDER

The records show that this Bureau issued Order No. 2015-1342 dated 16 September 2015, directing the Opposer to present proof of payment of filing fee for the Opposition within ten (10) days from receipt of the order. The Order further states that the Opposer's failure to comply shall cause the denial of the motion and/or dismissal of the case.

The Opposer, however, failed to comply with the Order despite receipt thereof.

Rule 2, Section 8 (c) of the amended Rules and Regulations on Inter Partes Proceedings (*promulgated through Office Order No. 99, as amended by Office Order No. 14-068, s. 2014*), provides, to wit:

Section 8. *Action on the Notice of Opposition or Motion for Extension to File Notice of Opposition and Petition.* - x x x (c) The opposer, including those who file a motion for extension of time to file notice of opposition, or the petitioner shall be given a period of ten (10) days from receipt of the order to complete or to cure any of the following defects:

(1) Non-payment in full or in part of the filing fees and other applicable fees;

x x x

Failure to complete or cure the defect shall cause the dismissal of the case. [Emphasis Supplied]

In the instant case, the Opposer failed to pay the filing fee for the opposition within the prescribed period.


**WHEREFORE**, premises considered, this case is hereby **DISMISSED**. Let the filewrapper of Trademark Application No. M/0000/01256997 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

Republic of the Philippines  
INTELLECTUAL PROPERTY OFFICE

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**SO ORDERED.**

Taguig City, 09 February 2016.

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

Copy furnished:

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