

LUNE GROUP OY,  
Opposer,

-versus-

DJOHAR KASDI,  
Respondent- Applicant.

x-----x

}  
} IPC No. 14-2016-00674  
} Opposition to:  
} Appln. Serial No. 4-2016-00010178  
} Date Filed: 24 August 2016  
} TM: "LYNETTE"  
}

**NOTICE OF ORDER**

**HECHANOVA BUGAY VILCHEZ &  
ANDAYA-RACADIO**  
Counsel for Opposer  
G/F Salustiana D. Ty Tower  
104 Paseo de Roxas, Legaspi Village  
Makati City


**LUMANIOG AND ASSOCIATES LAW FIRM**  
Respondent-Applicant's Representative  
Unit 4S Future Point Plaza 3  
No. 111 Panay Avenue, Brgy. South Triangle  
Quezon City

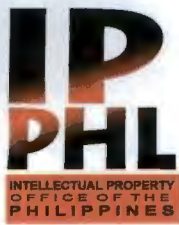
**GREETINGS:**

Please be informed that Order No. 2017 – 68 (D) dated March 07, 2017 (copy enclosed) was promulgated in the above entitled case.

Pursuant to Section 2, Rule 9 of the IPOPHL Memorandum Circular No. 16-007 series of 2016, any party may appeal the final order to the Office of the Director General within thirty (30) days after receipt of the final order together with the payment of applicable fees.

Taguig City, March 07, 2017.

  
**MARILYN F. RETUAL**  
IPRS IV  
Bureau of Legal Affairs



LUNE GROUP OY,	}	IPC No. 14-2016-00674
Opposer,	}	Opposition to:
	}	
-versus-	}	Application No. 4-2016-00010178
	}	Date Filed: 24 August 2016
DJOHAR KASDI,	}	
Respondent-Applicant.	}	Trademark: LYNETTE
x-----x	}	Order No. 2017 - <u>68</u> (D)

## ORDER

The records show that this Bureau issued Order No. 2016-1963 dated 24 November 2016, directing the Opposer to present proof of payment of filing fee for the Opposition within five (5) days from receipt of the order with notice that no further extension shall be allowed.

The records further show that Opposer received the Order on 02 December 2016. To date, however, the Opposer has not presented the required proof of payment.

Rule 2, Section 8, par. (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*), as further amended by IPOPHL Memorandum Circular No. 16-007, *Revised Rules and Regulations on Inter Partes Proceedings*, 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 five (5) days from receipt of the order to complete or to cure any of the following defect:

(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. 4-2016-00010178 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

**SO ORDERED.**

Taguig City, **07 MAR 2017**

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

Copy furnished:

**HECHANOVA BUGAY VILCHEZ &  
ANDAYA-RACADIO**

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