

SHACMAN MOTORS, INC.,
Petitioner,

-versus-

MULTI-FORTUNE IMPORT AND EXPORT PHILIPPINES INC.,
Respondent- Registrant.

IPC No. 14-2016-00451
Petition for Cancellation:
Reg. No. 4-2015-012397
Date Issued: 02 June 2016
TM: "SHAANXI"

X-----X

NOTICE OF ORDER

ORCHIDS ALBINO-MATEO
Counsel for the Petitioner
766 A. Bonifacio Avenue, Brgy. San Juan
Cainta, Rizal, 1900

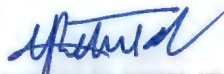
MULTI-FORTUNE IMPORT AND EXPORT PHILIPPINES, INC.,
Respondent-Registrant
No. 5 Kanlaon Street
Brgy. Sta. Teresita
Quezon City

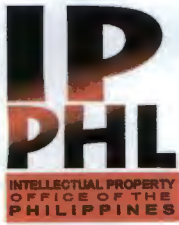
GREETINGS:

Please be informed that Order No. 2017 - 48 (D) dated February 23, 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 Director of the Bureau of Legal Affairs within ten (10) days after receipt of the final order together with the payment of applicable fees.

Taguig City, February 24, 2017.


MARILYN F. RETUTAL
IPRS IV
Bureau of Legal Affairs



SHACMAN MOTORS, INC.,	}	IPC No. 14-2016-00451
<i>Petitioner,</i>	}	Petition for Cancellation:
	}	Reg. No. 4-2015-012397
- versus -	}	Date Issued: 02 June 2016
	}	TM: SHAANXI
MULTI-FORTUNE IMPORT AND	}	
EXPORT PHILIPPINES INC.,	}	
<i>Respondent-Registrant.</i>	}	Order No. 2017 - <u>48(D)</u>
x-----x		

ORDER

SHACMAN MOTORS, INC., ("Petitioner") filed on 17 August 2016 a petition for cancellation of Trademark Registration No. 4-2015-012397. The registration issued on 02 June 2016 in favor of MULTI-FORTUNE IMPORT AND EXPORT PHILIPPINES INC., ("Respondent-Registrant") covers the mark SHAANXI for use on goods under Class 12.

Pursuant to the Regulations on Inter Partes Proceedings, this Bureau issued a Notice to Answer and served a copy thereof to Respondent-Registrant on 9 September 2016. The Respondent-Registrant failed to file its Answer.

On 16 February 2017, the Respondent-Registrant filed a letter addressed to the Director of Trademarks requesting for the withdrawal and cancellation of its registration for the trademark SHAANXI because it will no longer be using the same.

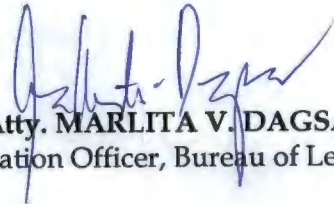
Accordingly, with the withdrawal by the Respondent-Registrant of its trademark registration, there is no more reason nor basis to proceed with this case.

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

Let the filewrapper of Trademark Registration No. 4-2015-012397 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 23 February 2017.


Atty. MARLITA V. DAGSA
Adjudication Officer, Bureau of Legal Affairs