

**PUMA SE,**  
Opposer,

-versus-

**ORIENTAL AND MOTOLITE  
MARKETING CORPORATION,**  
Respondent-Applicant.

X-----X

**IPC NO. 14-2014-00558**

Opposition to:

Appln. Ser. No. 4-2014-502402

Date Filed: 02 June 2014

Trademark: **PUMA**

Order No. 2017- 177 (D)

**ORDER**

The records show that on 27 February 2015, the Opposer timely filed a Verified Notice of Opposition to Trademark Application Ser. No. 4-2014-502402. The records further show that this Bureau issued an Order dated 15 June 2015, directing the Opposer to submit the original authenticated and legalized Special Power of Attorney pertaining to the instant case within ten (10) days from receipt of the Order. The Order states that the Opposer's failure to comply with the same shall cause the dismissal of the case. Subsequently, on 30 June 2015, this Bureau issued Order No. 2015-972 directing the Opposer to submit the authenticated Special Power of Attorney within five (5) days from receipt of Order.

On 05 August 2015, the Opposer filed a Compliance attaching therewith the original authenticated and legalized Special Power of Attorney executed by Mr. Peter Baehr and Mr. Neil Jafar Narriman. The said compliance confirm the authority of the counsel to sign the Verification and Certification of Non-Forum Shopping on behalf of the Opposer.

This Bureau notices that while the Opposition was timely filed on 27 February 2015, the Special Power of Attorney was executed only on 10 July 2015 in Herzogenaurach, Germany and authenticated on 28 July 2015 or after the filing of the Opposition, contrary to the provision of Rule 2, Section 7 (b) of the amended Rules and Regulations on Inter Partes Proceedings (promulgated through Office Order No. 99, s. 2011, as further amended by Office Order No. 14-068, s. 2014), which provides that:

Section 7. Filing Requirements for Opposition and Petition. - x x x (b) x x x The verification and certification of non-forum shopping as well as the documents showing the authority of the signatory or signatories thereto, affidavits and other supporting documents, if executed and notarized abroad, must have been authenticated by the appropriate Philippine diplomatic or consular office. The execution and authentication of these documents must have been done before the filing of the opposition or petition. [Emphasis supplied]



Therefore, the Special Power of Attorney which was executed and authenticated only after the filing of the opposition violates the above-quoted provision.

**WHEREFORE**, premises considered, this case is hereby **DISMISSED**. Let the filewrapper of Trademark Application Serial No. 4-2014-502402 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

**SO ORDERED.**

Taguig City, 108 AUG 2017

  
**Atty. EDWIN DANILO A. DATING**  
Director III, Bureau of Legal Affairs

Copy furnished:

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