

**THE RED BEAN HALOWICH CORPORATION,**  
*Opposer,*

**-versus-**

**RODERICK G. REDIMO,**  
*Respondent-Applicant.*

X-----X

}	<b>IPC No. 14-2016-00378</b>
}	Opposition to:
}	Appln. Ser. No. 4-2016-003796
}	Date Filed: 12 April 2016
}	
}	
}	<b>TM: HALOWICH</b>

**NOTICE OF ORDER**

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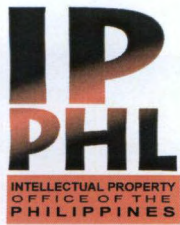
**GREETINGS:**

Please be informed that Order No. 2017 - 148 (D) dated 27 June 2017 (copy enclosed) was promulgated in the above entitled case.

Pursuant to Section 2, Rule 9 of the IPOPPL Memorandum Circular No. 16-007 series of 2016, any party may appeal the decision to the Director of the Bureau of Legal Affairs within ten (10) days after receipt of the decision together with the payment of applicable fees.

Taguig City, 28 June 2017.

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



THE RED BEAN HALOWICH CORPORATION,	}	IPC No. 14-2016-00378
	}	
<i>Opposer,</i>	}	Opposition to:
	}	Appln. Serial No. 4-2016-003796
- versus -	}	Date Filed: 12 April 2016
	}	Trademark: HALOWICH
RODERICK G. REDIMO,	}	
	}	Order No. 2017 - <u>148 (P)</u>
<i>Respondent-Applicant.</i>	}	

x-----x

**ORDER**

THE RED BEAN HALOWICH CORPORATION (“Opposer”) filed on 22 September 2016 an opposition to Trademark Application Serial No. 4-2016-003796. The application filed by RODERICK G. REDIMO (“Respondent-Applicant”) covers the mark HALOWICH for use on goods under Class 43.

Pursuant to the Regulations on Inter Partes Proceedings, this Bureau issued a Notice to Answer and served a copy thereof to Respondent-Applicant on 3 January 2017. The Respondent-Applicant filed her Verified Answer on 20 March 2017.

In compliance 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 Settlement Period”), this Bureau issued on 28 March 2017 Order No. 2017-070 referring the case to mediation.

On 7 May 2017, the ADR Services of this Bureau submitted a Mediation Report indicating an unsuccessful mediation of the instant case due to non-appearance of Opposer.

On 15 May 2017, Respondent-Applicant filed a Motion to Dismiss based on Section 8, Office Order No. 154, Rules of Procedure for IPO Mediation Proceedings, for failure of the Opposer to appear during the scheduled mediation conference on 3 May 2017.

The records show that this Bureau served to Opposer on 10 April 2017 a copy of Order No. 2017-070 referring the case to mediation and directing the parties or their duly authorized representative to appear before the IPO Mediation Office on 28 April 2017. Records further show that during the scheduled mediation conference, Opposer or his duly authorized representative failed to appear. Neither was there any motion or manifestation filed by Opposer relative to his absence.

Section 8, Office Order No. 154, Rules of Procedure for IPO Mediation Proceedings provides:

Section 8. Effect of the failure of parties to appear during the mediation. **The failure of the party who initiated the case, such as the oppose, petitioner or complainant, to appear for mediation, including the meeting before the Mediation Office in accordance with Section 3 hereof, is a ground for the dismissal of the case.** On the other hand, if respondent fails to appear, he may be declared in default.

WHEREFORE, premises considered, the instant opposition case is hereby DISMISSED.

Let the filewrapper of Trademark Application Serial No. 4-2016-003796 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 27 JUN 2017

  
Atty. ADORACION U. ZARE  
Adjudication Officer, Bureau of Legal Affairs