

GUESS, INC.,
Petitioner/
Opposer,

INTER PARTES CASE NO. 2005

PETITION FOR CANCELLATION

Cert. of Regn. No. SR-6379
Issued : December 13, 1983
Registrant : Patrick Law
Trademark : GUESS
Used on : Shirts, pants, jeans,
polos, jackets and shorts

- versus -

- a n d -

INTER PARTES CASE NO. 2011

OPPOSITION TO:

Appln. Serial No. 51944
filed : August 16, 1983
Applicant : Patrick Law
Trademark : GUESS
Used on : Shirts, pants, jeans,
polos, jackets and shorts

PATRICK LAW,
Respondent-Registrant/
Applicant.

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DECISION NO. 88-13 (TM)

February 29, 1988

DECISION

For action is a Motion to Dismiss filed by counsel for Opposer/Petitioner regarding captioned cases.

Per records, Inter Partes Case No. 2005 is a petition for cancellation filed by the herein Petitioner, Guess, Inc., asking for the cancellation of Supplemental Registration No. 6379 issued on December 13, 1983 for the trademark "GUESS" in favor of the herein Respondent-Registrant, Patrick Law.

Petitioner Guess, Inc. is a foreign corporation organized and existing under the laws of California, U.S.A., whose principal address is at 123 East 35th Street, California 9011, U.S.A., which filed the subject petition through its local counsel, Atty. Emeterio V. Soliven, with office address at 210-212 Vicente G. Cruz, Sampaloc, Manila, Philippines. Patrick Law, Respondent-Registrant, holds business at 959 Soler Street, Binondo, Manila, represented by Atty. Florencio Z. Sioson, with office address at Suite 46, PARC House, 227 Epifanio de los Santos Avenue, Greenhills, Mandaluyong, Metro Manila, Philippines.

Inter Partes Case No. 2011 relates to an opposition also filed by Guess, Inc. opposing the registration of Application Serial No. 51944 filed by the same Patrick Law on August 16, 1983 for the registration of the trademark "GUESS" in the Principal Register for use on shirts, pants, jeans, polos, jackets and shorts.

The proceedings in Inter Partes Cases Nos. 2005 and 2011 were consolidated on motion of Petitioner. During the pendency of the trial on the merits, Petitioner/Opposer, through counsel, submitted the said motion to dismiss on February 11, 1988, the context of which is quoted hereunder:

“Opposer-Petitioner, thru Counsel, and to this Honorable Office respectfully prays for the dismissal of above entitled cases on the ground that their differences have been settled as per attached copy of an agreement dated January 29, 1988 marked as Annex ‘A’ hereof.

WHEREFORE, it is respectfully prayed that an order be issued dismissing the above entitled cases.”

WHEREFORE, the said motion to dismiss being in order and not contrary to law, rules or regulations of this Office, the same is GRANTED and these two cases are accordingly DISMISSED.

Let the records of Inter Partes Case No. 2011 be transmitted to the Trademark Examining Division in accordance with this Decision, and Inter Partes Case No. 2005 be forwarded to the Application, Publication and Documentation Division for cancellation also in accordance with the same Decision.

SO ORDERED.

IGNACIO S. SAPALO
Director