

IMPERIAL CHEMICAL INDUSTRIES P.L.C.,

Opposer,

INTER PARTES CASE NO. 2043

OPPOSITION TO:

- versus -

Application Serial No. 52428
Filed : October 17, 1983
Applicant : United Laboratories, Inc.
Trademark : IMPERIAL
 PHARMACEUTICALS
Used on : Sale and distribution of
 drugs and medicines

UNITED LABORATORIES, INC.,
Respondent-Applicant.

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DECISION NO. 88-34 (TM)
June 15, 1988

DECISION

An opposition to the registration of tradename "IMPERIAL PHARMACEUTICALS" for sale and distribution of drugs and medicines under Application Serial No. 52428 in the name of United Laboratories, Inc. was filed by Imperial Chemical Industries P.L.C. on February 23, 1987.

Opposer is a foreign corporation organized and existing under the laws of the United Kingdom of Great Britain with address at London, England, while Respondent-Applicant is a domestic corporation with place of business at 66 United Street, Mandaluyong, Metro Manila and whose subject application was published on Page 207, Volume 82, No. 5 of the Supplement to the Official Gazette on February 23, 1986 but released for circulation only on December 23, 1966.

Records show that Respondent-Applicant, instead of filing an Answer, filed on April 10, 1987 a motion to withdraw application which reads:

"COMES NOW respondent-applicant, by its undersigned attorney, and to the Honorable Patent Office, respectfully manifests that it is withdrawing the trademark application filed in the above-entitled case."

Finding the motion to be in accordance with law and not contrary to any rule or regulation of this Bureau, the same is hereby GRANTED. Accordingly, Inter Partes Case No. 2043 is DISMISSED for being moot and academic.

Let the records of this case be transmitted to the Trademark Examining Division for appropriate action in accordance with this Decision.

SO ORDERED.

IGNACIO S. SAPALO
Director