

VIRGINIA SY,
Junior Party-Applicant,

INTER PARTES CASE NO. 3188

OPPOSITION TO:

Application Serial No. 47286
Filed : January 25, 1982
Applicant : Virginia Sy
Trademark : ARIAKE
Used on : Bicycle seats

- versus -

-and-

Application Serial No. 46309
Filed : October 2, 1981
Applicant : Panama Marketing
Corporation
Trademark : ARIAKE
Used on : Bicycle saddles

PANAMA MARKETING CORPORATION,
Senior Party-Applicant.

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DECISION NO. 89-14 (TM)
March 7, 1989

DECISION

This is an interference case declared by the Bureau between Application Serial No. 47286 filed on January 25, 1982 by Virginia Sy, the herein Junior Party-Applicant, for the trademark "ARIAKE" used on bicycle seats, and Application for the Serial No. 46309 filed on October 12, 1981 by Panama Marketing Corporation, the herein Senior Party-Applicant, for the same mark "ARIAKE" used on bicycle saddles.

Junior Party-Applicant is a resident of 637 Caballero Street, Binondo, Manila, while Senior Party-Applicant is a domestic corporation doing business at 412 Barraca Street, San Nicolas, Manila.

The parties were directed to file within forty (40) days from receipt of the Notice of the Interference a motion to dissolve or other motions, similar in character, pursuant to Rule 183 of the Rules of Practice in Trademark Cases.

On September 7, 1988, a letter dated August 16, 1988 was received from the Junior Party-Applicant stating that she had already ceased operation since 1984.

On December 15, 1988, Senior Party-Applicant, assisted by its counsel, filed a pleading for the withdrawal of its application of the mark "ARIAKE" because "applicant feels that it is no longer profitable to continue its application as the said trademark has been widely used by many establishments".

WHEREFORE, premises considered, this interference case is DISSOLVED against both parties. Application Serial Nos. 47826 and 46309 are hereby declared ABANDONED.

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

SO ORDERED.

IGNACIO S. SAPALO
Director