

THE TIMBERLAND COMPANY,
Opposer,

INTER PARTES CASE NO. 3230

OPPOSITION TO:

Application Serial No. 59910
Filed: September 19, 1986
Applicant: Trident International
Trading Corporation
Trademark: TIMBERLAND & DEVICE
Used on: Shoes, sandals, slippers, T-
shirts, shirts, jeans, pants, jogging pants,
shorts, socks, jackets, slacks, briefs and
handkerchiefs

TRIDENT INTERNATIONAL
TRADING CORPORATION,
Respondent-Applicant.
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DECISION NO. 90-39 (TM)
September 25, 1990

DECISION

This is an opposition filed by The Timberland Company against the application for registration of the trademark "TIMBERLAND & DEVICE" used on shoes, sandals, slippers, T-shirts, shirts, jeans, pants, jogging pants, shorts, socks, jackets, slacks, briefs and handkerchiefs, filed by Trident International Trading Corporation on September 19, 1986 under Serial No. 59910, published on Page 49, Volume I, No. 6, of the August 19, 1988 issue of the BPTTT's Official Gazette which was released for circulation on August 22, 1988.

Opposer is a foreign corporation duly organized and existing under the laws of the State of Delaware, United States of America, with principal office address at No. 11 Merrill Industrial Drive, Hampton, New Hampshire, U.S.A., while Respondent is a domestic corporation, with business address at 6-F Cardin Street, Banawe, Quezon City, Philippines.

On October 4, 1989, while this case was still pending, the Director of Patents rendered a decision (Decision No. 89-75 /TM/) on Inter Partes Case No. 3305, an interference proceeding involving three (3) trademark applications, including the subject application, Serial No. 59910.

In said decision, the interference case was dissolved in favor of the Junior Party-Applicant, Opposer in case, and Application Serial No. 59910 the subject of this opposition, together with another Application Serial No. 61988, was REJECTED. The decision became final and executory after the lapse of the appeal period as declared in Resolution No. 90-04 dated March 8, 1990, disregarding First Senior Party-Applicant's Motion for Reconsideration.

WHEREFORE, in view of the foregoing, this case is DISMISSED for becoming moot and academic.

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

SO ORDERED.

IGNACIO S. SAPALO
Director