



FIGARO COFFEE CO., INC. and FIGARO	}	IPC No. 14-2008-00274
COFFEE SYSTEMS INC.,	}	
<i>Petitioners,</i>	}	Cancellation of:
	}	
- versus -	}	Regn. Serial No. 4-2007-005140
	}	Date Issued: 01 October 2007
PACITA U. JUAN,	}	Trademark: FIGARO FROST STYLIZED
<i>Respondent-Registrant.</i>	}	AGAINST AN OBLONG DEVICE COLORED
	}	YELLOW GOLD
x-----x	x	Order No. 2012-57 (D)

ORDER

FIGARO COFFEE CO., INC. and FIGARO COFFEE SYSTEMS INC. ("Petitioners") filed on 30 October 2008 a petition for cancellation of Trademark Registration No. 4-2007-005140 issued in favor of PACITA U. JUAN ("Respondent-Registrant"). The Petitioners alleges, among other things, they are the sole and exclusive owner and user of the subject trademarks and trade name and that the Respondent-Registrant obtained the trademark registration fraudulently.

The Respondent-Registrant filed her Answer on 12 October 2009 refuting the material allegations of the Opposer.

The preliminary conference was terminated on 23 November 2009, and thereafter, the parties submitted their respective position papers.

The records show that on 12 October 2011, the Petitioner's counsel filed a letter addressed to the Director of the Bureau of Trademarks requesting the transfer of all the rights, title and interest over the subject trademark to the Petitioner. Attached to the letter is a copy of the notarized Assignment of Registered Trademark executed by herein parties and which was recorded with the Intellectual Property Philippines on October 14, 2011.

Accordingly, with the amicable settlement of the parties, there is no more reason nor basis to proceed with this case.

WHEREFORE, premises considered, the instant cancellation case is hereby **DISMISSED**.

Let the filewrapper of Trademark Registration No. 4-2007-005140, together with a copy of this Order, be returned to the Bureau of Trademarks (BOT) for appropriate action.

SO ORDERED.

Taguig City, 28 February 2012.


ATTY. NATHANIEL S. AREVALO
 Director IV
 Bureau of Legal Affairs

