



MEDICARD PHILIPPINES, INC.,	}	IPC No. 14-2011-00223
Petitioner,	}	Cancellation of :
	}	
- versus -	}	Regn. No. 4-2001-002510
	}	Date Issued: 16 June 2006
MEDICUS PHILIPPINES, INC. (formerly	}	Trademark: MEDCARD
MEDICUS (ILOILO CITY), INC.,	}	
Respondent-Registrant.	}	
x-----x		Order No. 2012- 25 (0)

ORDER

MEDICARD PHILIPPINES, INC. ("Petitioner"), filed on 13 June 2011 a Petition for Cancellation of Registration No. 4-2001-002510 issued on 16 June 2006 for the mark MEDCARD. The petitioner alleges, among other things, that the registration of the subject mark violates Section 4(d) of Republic Act No. 166 otherwise known as the "Trademark Law" vis-a-vis Section 123.1 (d) of Republic Act No. 8293, otherwise known as the Intellectual Property Code of the Philippines.

The Respondent-Registrant filed its Answer on 04 October 2011 refuting the material allegations of the Petitioner.

In compliance to Office Order No. 154, s. 2010 ("*Rules of Procedure for IPO Mediation Proceedings*") and Office Order No. 197, s. 2010 ("*Mechanics for IPO Mediation and Settlement Period*"), this Bureau issued on 11 October 2011 Order No. 2011-299 referring the case to mediation.

On 18 November 2011, this Bureau received a "MEDIATOR'S REPORT" indicating an unsuccessful mediation of the instant case. Attached to the report, however, is the Petitioner's Manifestation stating that as per records of this Office the Respondent-Registrant's mark MEDCARD with Registration No. 4-2001-002510 under Class 42, the subject of the instant Petition for Cancellation, has already been cancelled as of November 09, 2011.

The records of the Intellectual Property Office of the Philippines, in particular the Trademarks Registry, confirm the Petitioner's allegation that Reg. No. 4-2001-002510 has already been cancelled.


Accordingly, there is no more reason nor basis to proceed with this case.

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

Let the filewrapper of Trademark Registration No. 4-2001-002510 be returned, together with a copy of this Order to the Bureau of Trademarks (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 02 February 2012.



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