



GOLDEN ABC, INCORPORATED,	}	IPC No. 14-2013-00326
Opposer,	}	Opposition to:
	}	
- versus -	}	Appln. Serial No. 4-2013-004372
	}	Date Filed: 17 April 2013
MEI LIN ONG,	}	
Respondent-Applicant.	}	Trademark: WINK
x-----x	x	Order No. 2013 - <u>179</u> (D)

ORDER

GOLDEN ABC, INCORPORATED ("Opposer") filed on 01 August 2013 a Motion for Additional Time to File Verified Notice of Opposition. In its motion, the Opposer alleges that the subject application was published for opposition in the Trademark Electronic Gazette on 01 July 2013. The Opposer, therefore, prays for an extension of thirty (30) from 01 August 2013 or until 01 September 2013 within which to file the Verified Notice of Opposition. Subsequently, the Opposer filed its second Motion for Additional Time to File Verified Notice of Opposition on 02 September 2013.

Rule 7, Section 2 of the Rules and Regulations on Inter Partes Proceedings, as amended, provides the period for filing opposition, to wit:

"Section 2. Period to file opposition. - The verified notice of opposition must be filed within 30 days from the date of the publication of the trademark application in the IPOPHL "Gazette". Upon proper motion anchored on meritorious grounds which must be expressly indicated in the motion, and the payment of the filing fee for opposition and other applicable fees, the Bureau may grant an additional period of 30 days within which to file the opposition. A second motion for extension of 30 days may be granted on compelling grounds and upon payment of the applicable fees; Provided, that in no case will the filing of the opposition exceed ninety (90) days from the date of the aforementioned publication, Provided, further, that if the last day for filing of the verified opposition or motion for extension falls on a Saturday, Sunday, holiday, non-working day or on a day when the Office or the Bureau is closed for business as may be declared by the Director General, the filing must be done the next succeeding working day."

Thus, since the subject trademark application was published for opposition on 01 July 2013, the verified notice of opposition or a motion for extension to file the same should have been filed thirty (30) days from 01 July 2013 or until 31 July 2013. The filing, therefore, of the Opposer's Motion for Additional Time to File Verified Notice of Opposition on 01 August 2013 is beyond the reglementary period.

WHEREFORE, premises considered, the Opposer's Motions for Additional Time to File Verified Notice of Opposition filed on 01 August 2013 and 02 September 2013 are hereby **DENIED**. Accordingly, the instant opposition case is hereby **DISMISSED**. Let the filewrapper of Trademark Application No. 4-2013-004372 be returned, together with

a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 20 September 2013.



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

Copy furnished:

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