



ISPORT LIFE, INC.,  
Opposer,

-versus-

THE OUTDOOR RECREATION GROUP,  
Respondent-Applicant.

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IPC No. 14-2012-00065

Opposition to:

Appl. Serial No. 4-2011-012927

Date filed: 26 October 2011

Trademark: "OUTDOOR PRODUCTS  
AND DESIGN"

### NOTICE OF DECISION

#### SIOSON SIOSON & ASSOCIATES

Counsel for the Opposer  
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#### BUCOY POBLADOR & ASSOCIATES

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116 Valero corner Rufino Streets  
Salcedo Village, Makati City

#### GREETINGS:

Please be informed that Decision No. 2012 – 192 dated October 05, 2012 ( copy enclosed) was promulgated in the above entitled case.

Taguig City, October 05, 2012.

For the Director:

  
Atty. EDWIN DANILO A. DATING  
Director III  
Bureau of Legal Affairs



ISPORT LIFE, INC.,  
Opposer,

IPC No. 14-2012-00065  
Case Filed: 08 March 2012

-versus-

Opposition to:  
Appln. Serial No. : 4-2011-012927  
Date Filed: 26 October 2011

THE OUTDOOR RECREATION  
GROUP,

TM: "OUTDOOR PRODUCTS  
AND DESIGN"

Respondent.

x-----x

Decision No. 2012- 192

**DECISION BASED ON  
COMPROMISE AGREEMENT**

ISPORT LIFE, INC., ("Opposer") filed on 08 March 2012 an opposition to Trademark Application Serial No. 4-2011-012927. The application filed by THE OUTDOOR RECREATION GROUP, ("Respondent-Applicant") covers the mark "OUTDOOR PRODUCTS AND DESIGN" for use on goods under Class 18.

This Bureau issued a Notice to Answer dated 13 March 2012 and served a copy thereof upon the Respondent-Applicant on 16 March 2012. The Respondent-Applicant filed his Answer on 15 June 2012.

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 26 June 2012 Order No. 2012-134 referring the case to mediation.

On 22 August 2012, this Bureau received a "MEDIATOR'S REPORT" indicating the successful mediation of the instant case. Attached to the report is the parties' "COMPROMISE AGREEMENT" submitted to this Bureau for approval. The Agreement states, among other things:

1. Opposer, Isport Life, Inc., hereby agrees not to oppose or contest any application, registration or use by Respondent-Applicant, The Outdoor Recreation Group, of any of the latter's trademarks which include the compound words "OUTDOOR PRODUCTS".
2. In connection with the foregoing, Opposer, Isport Life, Inc., hereby agrees to withdraw, as it hereby withdraws, its opposition against Respondent-Applicant's Trademark Application Numbers 4-2010-011297 and 4-2011-012927, the subject matter of the above-captioned Inter-Partes Cases.
3. Opposer, Isport Life, Inc., further agrees not to use and/or apply for the registration of the compound words "OUTDOOR PRODUCTS" as a

trademark or any part of its trademark/s, more particularly not to use or seek to register the marks of Respondent-Applicant covered by Philippine Trademark Applications Numbers 4-2010-011297 and 4-2011-012927 and Philippine Trademark Registrations Numbers 4-1995-106911 and 4-2003-0011430.

4. On the other hand, Respondent-Applicant, The Outdoor Recreation Group, hereby agrees not to oppose or contest any application, registration or use by Opposer, Isport Life, Inc., of any trademark which includes the word "OUTDOORS".

5. Respondent-Applicant further agrees not to use or seek to register the word "OUTDOORS" solely as a trademark or any part of a trademark, particularly including Opposer's trademark "OUTDOORS" (Stylized) Inside An Oblong covered by Philippine Trademark Registration No. 4-2008-008545.

This Bureau evaluated the COMPROMISE AGREEMENT and finds that the same has been duly entered into by the parties with the terms and conditions thereof not contrary to law, morals, good customs, public order or public policy.

Accordingly, an approved Compromise Agreement shall have the effect of a decision or judgment on the case and shall be enforced accordingly in accordance with the pertinent rules of IPO and the Rules of Court.<sup>1</sup>

**WHEREFORE**, premises considered, the parties' COMPROMISE AGREEMENT is hereby **APPROVED**. Accordingly, the Compromise Agreement having the force and effect of a decision or judgment, the parties are hereby enjoined to comply with the terms and conditions set forth therein. Let the filewrapper of Trademark Application Serial No. 4-2011-012927 be returned, together with a copy of this Decision, to the Bureau of Trademarks (BOT) for information and appropriate action.

**SO ORDERED.**

Taguig City, 05 October 2012.

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

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<sup>1</sup> Sec. 5, Office Order No. 154 Series of 2010