



SCOTTLAND, INC.,
Petitioner,

-versus-

RAYMOND ROLAND ROJAS,
Respondent-Registrant.

X-----X

IPC No. 14-2012-00105
Petition for Cancellation of:
Registration No. 4-2010-010658
Date Registered: 24 Feb. 2011
TM: "BON CHON CHICKEN"

NOTICE OF ORDER

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(formerly Emerald Ave.)
Ortigas Center, Pasig City

GREETINGS:

Please be informed that Order No. 2012 – 150 (D) dated September 19, 2012 (copy enclosed) was promulgated in the above entitled case.

Taguig City, September 19, 2012.

For the Director:


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



SCOTTLAND, INC.,
Petitioner,

IPC No. 14-2012-00105
Petition for Cancellation of:
Registration No. 4-2010-010658
Date Filed: 28 September 2010
Date Registered: 24 February 2011

-versus-

RAYMOND ROLAND ROJAS,
Respondent-Registrant.

TM: "BON CHON CHICKEN"

X-----X

Order No. 2012- 150 (p)

ORDER

SCOTTLAND, INC., ("Petitioner") filed on 02 March 2012 a Petition for Cancellation to Registration No. 4-2010-010658. The application filed by RAYMOND ROLAND ROJAS ("Respondent-Registrant") covers the mark "BON CHON CHICKEN" for use on goods under Class 43.

This Bureau issued a Notice to Answer dated 09 March 2012 and served upon a copy thereof to Respondent-Applicant on 16 March 2012. The Respondent-Applicant filed its Answer on 14 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 Settlement Period*"), this Bureau issued on 05 July 2012 Order No. 2012-141 referring the case to mediation. On 25 July 2012, the ADR Services of this Bureau submitted a Mediator's Report. However, the parties failed to reach a settlement within the Mediation period.

On 05 September 2012, the Petitioner and Respondent-Registrant filed a Joint Motion to Dismiss Petition for Cancellation stating, among other things, that the Respondent-Registrant has already assigned the subject trademark to the Opposer.

WHEREFORE, premises considered, the Joint Motion to Dismiss is hereby GRANTED. Accordingly, the instant Petition for Cancellation is DISMISSED. Let the filewrapper of Registration No. 4-2010-010658 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 19 September 2012.


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

/elmer/joanne