



FUEL ESPRESSO LIMITED,	}	IPC No. 14-2014-00443
Opposer,	}	Opposition to:
	}	
- versus -	}	Application No. 4-2014-00007142
	}	Date Filed: 05 June 2014
STARWOOD HOTELS & RESORTS	}	
WORLDWIDE, INC.,	}	Trademark: RE: FUEL BY ALOFT
Respondent-Applicant.	}	
x-----x	x	Order No. 2015 - <u>05</u> (D)

## ORDER

The records show that this Bureau issued Order No. 2014-1356 dated 16 October 2014, directing the Opposer to present proof of payment of filing fee for the Opposition within ten (10) days from receipt of the said Order. The Opposer, however, failed to comply with the Order despite receipt thereof.

Rule 2, Section 8 (c) of the amended Rules and Regulations on Inter Partes Proceedings (*promulgated through Office Order No. 99, as amended by Office Order No. 14-068, s. 2014*), provides, to wit:

Section 8. *Action on the Notice of Opposition or Motion for Extension to File Notice of Opposition and Petition.* - x x x (c) The opposer, including those who file a motion for extension of time to file notice of opposition, or the petitioner shall be given a period of ten (10) days from receipt of the order to complete or to cure any of the following defects:

(1) Non-payment in full or in part of the filing fees and other applicable fees;

x x x

Failure to complete or cure the defect shall cause the dismissal of the case. [Emphasis Supplied]

In the instant case, the Opposer failed to pay the filing fee for the opposition within the prescribed period.

WHEREFORE, premises considered, this case is hereby **DISMISSED**. Let the filer wrapper of Trademark Application Serial No. 4-2014-00007142 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 27 January 2015.

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

Copy furnished:

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