

PFIZER INC.,	}	IPC No. 14-2014-00399
Opposer,	}	
	}	Application Serial No. 4-2014-005492
- versus -	}	Date Filed: 06 May 2014
	}	
AMBICA INTERNATIONAL TRADING CORP.,	}	Trademark: EZYTHROMAX
Respondent-Applicant.	}	
x-----x		Order No. 2016 - <u>33 (P)</u>

ORDER

PFIZER INC (“Opposer”), filed on 10 November 2014 an opposition to Trademark Application Serial No. 4-2014-005492. The application filed by AMBICA INTERNATIONAL TRADING CORP., (“Respondent-Applicant”), covers the mark “EZYTHROMAX” for use on goods under Class 05. The opposition is anchored on Section 123.1 paragraphs (d) (e) (f) and (g) of R.A. No. 8293, also known as the Intellectual Property Code of the Philippines (“IP Code”).

This Bureau issued a Notice to Answer and served a copy thereof to the Respondent-Applicant on 22 January 2015. The Respondent-Applicant filed its Answer on 06 March 2015.

Pursuant 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 10 September 2015 Order No. 2015-136 referring the case to mediation. The case undergone mediation proper, but the parties failed to come or agree to an amicable settlement. Consequently, the case was scheduled for a preliminary conference.

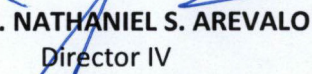
On 27 January 2016, the Respondent-Applicant submitted a letter manifesting that it has decided not to pursue the subject application and expressly abandons the subject application in accordance with Rule 619, Part 6 of the Rules on Trademarks.

Accordingly, in view of the abandonment by the Respondent-Applicant of the subject trademark application, there is no more reason or basis to proceed with this case.

WHEREFORE, premises considered, the instant opposition case is hereby **DISMISSED**. Let the filewrapper of Trademark Application Serial No. 4-2014-005492 be returned, together with a copy of this Order to the Bureau of Trademark (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 16 February 2016.


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

Copy furnished:

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