

DEUS EX MACHINA MOTOR CYCLES PTY. LTD., Opposer,

-versus-

BROUWERIJ BOSTEELS, Respondent-Applicant. **IPC No. 14-2015-00449** Opposition to:

Application No. 4-2014-00014300 Date Filed: 18 November 2014

Trademark: DEUS

Order No. 2016 - <u>88</u> (D)

ORDER

BROUWERIJ BOSTEELS ("Respondent-Applicant") filed on 22 April 2016 a Manifestation and Motion (Re: Abandonment of Trademark Application). The Manifestation and Motion state that on 19 April 2016, the Respondent-Applicant voluntarily withdrew and abandoned Philippine Trademark Application No. 4-2014-014300 for DEUS. A copy of the letter duly received by the Bureau of Trademarks enclosing the Declaration of Abandonment of Pending Trademark Application is attached thereto as Annex "1".

With the voluntary withdrawal and/or abandonment by the Respondent-Applicant of its trademark application, there is no more factual or legal basis to proceed with this case.

WHEREFORE, premises considered, the instant case is hereby DISMISSED. Let the filewrapper of Trademark Application No. 4-2014-00014300 be returned, together with a copy of this Order and the Respondent-Applicant's Manifestation and Motion, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 0 3 MAY 2016.

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

Copy furnished:

GANCAYCO BALASBAS & ASSOCIATES Counsel for Opposer 7th Floor 1000 A. Mabini corner T. M. Kalaw Sts. Ermita, Manila

ORTEGA BACORRO ODULIO CALMA & CARBONELL

Counsel for Respondent-Applicant 5th & 6th Floors ALPAP I Building 140 L. P. Leviste Street, Salcedo Village Makait City

Republic of the Philippines INTELLECTUAL PROPERTY OFFICE Intellectual Property Center # 28 Upper McKinley Road, McKinley Hill Town Center, Fort Bonifacio, Taguig City 1634 Philippines •www.ipophil.gov.ph T: +632-2386300 • F: +632-5539480 •mail@ipophil.gov.ph