

FORTIS-UHREN AG	}	IPC No. 14-2011-00567
(MONTRES FORTIS SA) (FORTIS WATCH LTD),	}	
Opposer,	}	Opposition to:
	}	Appln. Serial No. 4-2011-008531
- versus -	}	Date Filed: 21 July 2011
	}	
RISHIN N. MIRANI,	}	Trademark: FORTIS
Respondent-Applicant.	}	Order No. 2016 - 121 (D)
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ORDER

FORTIS-UHREN AG (MONTRES FORTIS SA) (FORTIS WATCH LTD.) (“Opposer”), filed an opposition to Trademark Application No. 4-2011-008531. The application filed by RISHIN N. MIRANI (“Respondent-Applicant”), covers the mark FORTIS for use on goods under Class 14. The opposition is anchored on Section 123.1 sub-paragraph (e) of R.A. 8293 also known as the Intellectual Property Code of the Philippines (“IP Code”).

Pursuant to the Regulations on Inter Partes Proceedings, this Bureau issued a Notice to Answer and served a copy thereof to Respondent-Applicant on 08 March 2012. The Respondent-Applicant however, did not file an Answer.

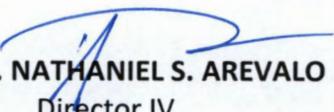
Records show that on 30 October 2014, Opposer filed an Ex-Parte Motion for Early Resolution stating that Opposer filed with the Bureau of Trademarks a request for the recordal of assignment of the mark “FORTIS” to the Opposer. Attached to the Ex-parte Motion is a copy of the Manifestation and Motion filed by Opposer, containing a copy of the duly filed request for Recordal of Assignment and duly notarized Assignment of Trademark. Pursuant to the Assignment of Trademark made by Respondent-Applicant, Opposer is now the owner of said mark, hence this case is now moot and academic.

Accordingly, in view of the assignment of the subject mark made by Respondent-Applicant in favor of the Opposer, 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. 4-2011-008531 be returned, together with a copy of this Order to the Bureau of Trademark (BOT) for information and appropriate action.

SO ORDERED.

Taguig City, 10 June 2016.


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

Copy furnished:

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