

FUTURE STATE, INC.,
Opposer,

-versus-

GANDANG KALIKASAN, INC.,
Respondent- Applicant.

}
}
}
}
}
}
}
}
}

IPC No. 14-2017-00031

Opposition to:

Appln. Serial No. 4-2014-00014497

Date Filed: 24 November 2014

**TM: "HUMAN NATURE
OVERNIGHT ELIXIR"**

X-----X

NOTICE OF ORDER

MIGALLOS & LUNA LAW OFFICES

Counsel for Opposer
7th Floor The PHINMA Plaza
39 Plaza Drive, Rockwell Center
Makati City

CRUZ MARCELO & TENEFRANCIA

Counsel for Respondent-Applicant
9th, 10th, 11th and 12th Floors One Orion
11 Avenue corner University Parkway
Bonifacio Global City, Taguig City

GREETINGS:

Please be informed that Order No. 2017 – 32 (D) dated February 21, 2017 (copy enclosed) was promulgated in the above entitled case.

Pursuant to Section 2, Rule 9 of the IPOPHL Memorandum Circular No. 16-007 series of 2016, any party may appeal the final order to the Office of the Director General within thirty (30) days after receipt of the final order together with the payment of applicable fees.

Taguig City, February 21, 2017.

MARILYN F. RETUTAL
IPRS IV
Bureau of Legal Affairs

**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

FUTURE STATE, INC.,
Opposer,

-versus-

GANDANG KALIKASAN, INC.,
Respondent-Applicant.

x-----x

IPC No. 14-2017-00031

Opposition to:

Application No. 4-2014-00014497

Date Filed: 24 November 2014

Trademark: **HUMAN NATURE
OVERNIGHT ELIXIR**

Order No. 2017 - 32 (D)

ORDER

GANDANG KALIKASAN, INC. ("Respondent-Applicant") filed on 13 February 2017 a Manifestation [Re: Filing of Notice of Voluntary Abandonment]. The Manifestation states, among other things, that:

"2. Respondent-Applicant is no longer interested in prosecuting Trademark Application No. 4-2014-014497 for the mark HUMAN NATURE OVERNIGHT ELIXIR which is the subject of the instant opposition case.


"3. In this connection, Respondent-Applicant on 11 January 2017 filed with the Bureau of Trademarks a Notice of Voluntary Abandonment signed by the authorized representative of the Respondent-Applicant expressly withdrawing Trademark Application No. 4-2014-014497 for the mark HUMAN NATURE OVERNIGHT ELIXIR. A copy of the Notice of Voluntary Abandonment dated 11 January 2017 is attached herewith as Annex "A"."

With the voluntary 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. 4-2014-00014497 be returned, together with a copy of this Order and the Respondent-Applicant's Manifestation to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, **21 FEB 2017**


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

**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

Copy furnished:

MIGALLOS & LUNA LAW OFFICES

Counsel for Opposer

7th Floor The PHINMA Plaza

39 Plaza Drive, Rockwell Center

Makati City 1210

CRUZ MARCELO & TENEFRANCIA

Counsel for Respondent-Applicant

9th, 10th, 11th and 12th Floors One Orion

11th Avenue corner University Parkway

Bonifacio Global City 1634, Taguig City