



VANGUARD RADIO NETWORK,

Opposer,

-versus-

MANUELITO F. LUZON,

Respondent-Applicant.

x-----x

IPC NO. 14-2012-00319

Opposition to:

Appln. Ser. No. 4-2011-008093

Date Filed: July 12, 2011

Trademark: **91.5 BIG RADIO**

LOGO

Order No. 2012 - 141(0)

ORDER

VANGUARD RADIO NETWORK, ("Opposer") filed on 11 July 2012 a Motion for Extension of Time to file Opposition to Trademark Application Serial No. 4-2011-008093. Records show that the subject trademark application was published for opposition purposes in the IPOPHL "Gazette" on 11 June 2012. On 17 July 2012, this Bureau sent a Memorandum to the Bureau of Trademarks to forward the "filewrappers" of trademark applications which are subject of opposition, including Application Serial No. 4-2011-008093. On 24 July 2012, this Bureau received from the Bureau of Trademarks, the filewrapper of Application Serial No. 4-2011-008093.

Upon scrutiny of the filewrapper of Application Serial No. 4-2011-008093, this Bureau noticed the Memorandum, dated 18 June 2012, of the Trademark Examiner requesting from the Director of Trademarks the remanding of the application on the ground of "newly-discovered ex-parte objections" under Rule 701 of the Trademark Regulations. The Director of Trademarks approved the request. Meanwhile, this Bureau received from the Opposer its "OPPOSITION (To Application for Registration of Mark)" on 10 August 2012.

The approval by the Director of Trademarks of the Trademark Examiner's request for the remanding of the subject trademark application has the effect of withdrawing the allowance thereof.

WHEREFORE, the allowance of the subject trademark application having been withdrawn, the Opposer's Motion for Extension of Time to file opposition and the Opposition (To Application for Registration) is hereby declared to have no legal basis and therefore cannot be given due course. Let the filewrapper of Trademark Application Serial No. 4-2011-008093 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 29 August 2012.


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

Copy furnished:

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