

**[BOC CUSTOMS MEMORANDUM CIRCULAR NO.
178-99, May 06, 1999]**

DECISION ON TRADEMARK INFRINGEMENT

Attached is the letter* dated April 19, 1990 of Atty. Benjamin Irao, Jr., counsel and Attorney-in-Fact for Ceroilfood Shandong, Complanint endorsing the Decision promulgated on November 11, 1998 by the Office of Legal Affairs, department of Trade and Industry in Adm. Case No. 94-81 entitled Ceroilfood Shandong Cereals and Oils Branch versus Wilson Ong Ching Kian Chuan, specifically inviting attention to the dispositive portion which reads:

"Wherefore, we find Resondent guilty as charged. Accordingly, this Office hereby orders Respondent;

1. To cease and desist from using the infringed trademark of complainant;
2. To file Affidavit for Cancellation and/or surrender of Copyright for said infringed trademark for cancellation with the National Museum, Copyright Division, copy furnished this office and the Complainant and its counsels;
3. To file an Undertaking for the purpose aforestated; and
4. To pay an administrative fine in the amount of P50,000.00 to be paid at DTI Cashier's Office, 4th Floor, DTI Building, 361 Sen. Gil. Puyat Ave. Makati City.

Failure on respondent's part to comply with the above directives upon the finality of the said Decision will compel this Office to cancel its business name and/or revoke any permit/authority issued to it by this office, plus additional fine of ONE THOUSAND PESOS (P1,000.00) for every day of delay."

For your information and guidance.

Adopted: 06 May 1999

(SGD.) JULITA S. MANAHAN
Deputy Commissioner
Internal Administration Group
