

Title:

****Medina vs. Global Quest Ventures, Inc.: A Trademark Ownership Controversy****

Facts:

The controversy revolves around the ownership and registration of the trademark “Mr. Gulaman” used for gulaman jelly powder mix products. Global Quest Ventures, Inc. (Global), the respondent, is a manufacturer and seller of these products and claims ownership of the “Mr. Gulaman” mark and logo. On February 1, 2006, Global applied for trademark registration only to discover a pending application filed on May 9, 2005, by Ma. Sharmaine R. Medina under Rackey Crystal Top Corporation for the same mark in a stylized form.

Global opposed Medina’s application, claiming prior use since 2000 based on a copyright to the design issued in 1996 to Benjamin Irao, Jr., which was later assigned to Global in 2005. Upon failing to receive a response from Medina regarding its opposition, the Intellectual Property Office (IPO) issued a certificate of registration in Medina’s favor on June 25, 2006.

Global then filed a petition for cancellation of Medina’s trademark registration, presenting evidence such as copyright registration, product packaging samples, sales invoices, and affidavits to support its claim of prior use and ownership. Medina’s failure to file an answer within the prescribed period led IPO to waive her right to file one, and consequently, her motion for reconsideration was denied by the IPO.

Medina elevated the case to the Court of Appeals which affirmed IPO’s decision. She then filed a Petition for Review with the Supreme Court, arguing infringement on her right to due process and insufficiency of Global’s evidence against her trademark registration’s validity.

Issues:

1. Whether the Court of Appeals erred in affirming the cancellation of Medina’s Certificate of Registration No. 4-2005-00418 based on Global’s claims of prior use and ownership.
2. Whether Medina was denied due process when the IPO refused to admit her answer due to procedural technicalities.
3. Whether Global’s evidence was sufficient to rebut the presumption of ownership and validity of Medina’s trademark registration.

Court’s Decision:

The Supreme Court upheld the decision of the Court of Appeals, noting that:

1. **Ownership and Prior Use**: The prima facie presumption of ownership provided by registration can be rebutted by evidence of prior use by another party. The Court found substantial evidence supporting Global's claim of prior use of the "Mr. Gulaman" mark since 2000, effectively rebutting Medina's registration presumption.
2. **Due Process**: The Court found no denial of due process since the decision of the IPO to not admit Medina's answer, due to procedural failures, was upheld by the Court of Appeals and had become final and executory.
3. **Evidence Sufficiency**: The Court deemed Global's evidence—copyright registration, product samples, sales invoices, and affidavits—as substantial in proving its claim of prior use and ownership of the trademark.

Doctrine:

The doctrine established in this case reiterates that while a certificate of registration constitutes prima facie evidence of ownership of a trademark, this presumption can be overcome by substantial evidence of another's prior use. The Supreme Court also elucidated on the essential aspects of procedural due process within administrative proceedings.

Class Notes:

Key Elements:

- **Prima Facie Presumption of Ownership**: Established by a trademark registration certificate but can be rebutted by evidence of prior use by another party.
- **Evidence of Prior Use**: Can include sales invoices, product packaging samples, copyright registrations, and affidavits.
- **Due Process in Administrative Proceedings**: Compliance with procedural requirements is crucial. Procedural lapses (e.g., failing to respond within a reglementary period) can lead to adverse decisions.

Relevant Statutory Provisions:

- Republic Act No. 8293 (Intellectual Property Code of the Philippines), particularly regarding trademark registration, ownership, and cancellation procedures.

Historical Background:

This case highlights the evolving legal landscape regarding trademark ownership in the Philippines, particularly the shift from "first-to-use" to "first-to-file" with the enactment of

the Intellectual Property Code of the Philippines (Republic Act No. 8293). It underscores the importance of adhering to procedural requirements in administrative legal proceedings and the principle that registration, while prima facie evidence of ownership, does not guarantee absolute rights against substantial evidence to the contrary.