



**ARRANGEMENT DE MADRID
CONCERNANT L'ENREGISTREMENT INTERNATIONAL DES MARQUES
ET PROTOCOLE RELATIF À CET ARRANGEMENT**

REFUS PROVISOIRE

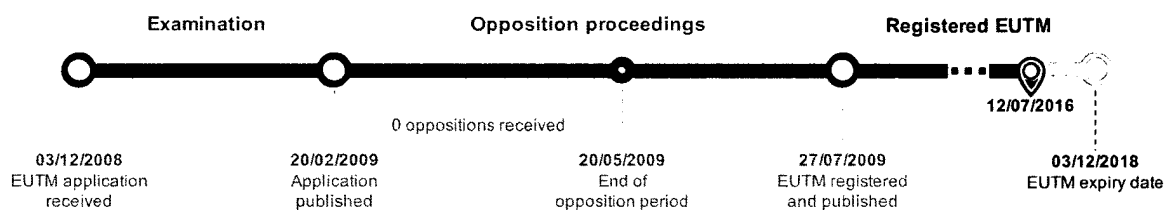
notifiée au Bureau international de l'Organisation Mondiale de la Propriété Intellectuelle (OMPI)
selon l'article 5 de l'Arrangement de Madrid et du Protocole de Madrid

I. Office qui notifie le refus OFFICE DES BREVETS DE LA REPUBLIQUE DE LETTONIE Citadeles iela 7/70 LV 1010, Rīga LETTONIE	Téléphone 371 67099605 Télécopie 371 67099650
II. N° de l'enregistrement international faisant l'objet du refus 1 291 862	
III. Nom du titulaire de l'enregistrement international faisant l'objet du refus ABC DETERJAN SANAYI VE TICARET ANONIM SIRKETI Rüzgarlıbaçe Mahallesi, Cumhuriyet Caddesi, Gülsan Plaza No: 22 Kat: 4 Kavacik ISTANBUL (TR)	
IV. Motifs du refus ARIEL ACTILIFT, /fig. / The Procter & Gamble Company, One Procter & Gamble Plaza, Cincinnati, Ohio 45202-3315 United States titulaire d'enregistrement européen MUE 007437874 et /marque figurative/ MUE 009939984 s'oppose à l'enregistrement de la marque.	
V. Dispositions de la loi nationale applicables en la matière (voir feuille supplémentaire) ARTICLE 18, 39 (5), (6) ; L'opposition est basée sur l'article 7(1)2 ; 39³	
VI. <input checked="" type="checkbox"/> Refus pour la totalité des produits et services <input type="checkbox"/> Refus pour les produits suivants *	
VII. Possibilités de réclamations et de recours Le titulaire de la marque a le droit de présenter ses objections contre le présent refus auprès de l'Office des brevets de Lettonie dans le délai de 3 mois à compter de la date de la notification de Bureau International. Le recours doit être présenté par l'intermédiaire d'un mandataire local . (Loi sur les marques et les indications géographiques, Article 17. ¹ ; Loi des institutions et procédures de propriété industrielle, Article 58). Après l'expiration du délai imparti, la Commission de recours prendra la décision sur l'acceptation de l'opposition ou de son rejet. L'affaire peut- être réexaminée auprès de Tribunal de Riga-ville (quartier Vidzeme) dans le délai de 3 mois compté de la notification de la décision de Commission de recours.	
VIII. Date à laquelle le refus a été prononcé 28.07.2016	
IX. Signature ou sceau officiel de l'Office qui notifie le refus <div style="text-align: right; margin-top: 20px;"> Dz. Medne </div>	

EUTM file information

ARIEL ACTILIFT
007437874

Timeline



Graphic representation



Trade mark information

Name	ARIEL ACTILIFT	Filing date	03/12/2008
Filing number	007437874	Registration date	21/07/2009
Basis	EUTM	Expiry date	03/12/2018
Date of receipt	03/12/2008	Designation date	
Type	Figurative	Filing language	English
Nature	Individual	Second language	French
Nice classes	3 (Nice Classification)	Application reference	FC08OH510599
Vienna Classification	01.13.01, 27.05.12 (Vienna Classification)	Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

latviešu valoda (lv) ▼

- 3** Mazgāšanas un balināšanas līdzekļi izmantošanai mājāsaimniecībā, tostarp veļas mazgāšanā; mazgāšanas līdzekļi.

Description

English (en) ▼

Description

Colour Red, green, blue and white.

Owners

The Procter & Gamble Company

ID	110	Country	US - United States	Correspondence address	
Organisation	The Procter & Gamble Company	State/county	Ohio	The Procter & Gamble Company One Procter & Gamble Plaza Cincinnati, Ohio 45202-3315 ESTADOS UNIDOS (DE AMÉRICA)	Can be accessed and changed by authorised user via the User Area
Legal status	Legal entity	Town	Cincinnati,		
State, district or te...	Ohio	Post code	45202-3315		Can be accessed and changed by authorised user via the User Area
		Address	One Procter & Gamble Plaza		Can be accessed and changed by authorised user via the User Area

Representatives

Brincat, Deborah

ID	17218	Country	FR - France	Correspondence address	
Organisation	PROCTER & GAMBLE France SAS	State/county	n/a	PROCTER & GAMBLE France SAS Deborah Brincat 163, quai Aulagnier F-92665 Asnières Cédex FRANCIA	00 33-140885441
Legal status	Individual	Town	Asnières Cédex		00 33-140887907
Type	Employee	Post code	92665		
		Address	163, quai Aulagnier		

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	EUTM	007437874	Surveillance letter for EUTMs	09/09/2010	
	Recordal	004754647	T725M - Registration of recordal C.2.2 / B.9.2	06/05/2010	
	Recordal	004754647	Letter to the EUIPO	28/04/2010	
	Recordal	004754647	Miscellaneous	28/04/2010	
	EUTM	007437874	Certificate of Registration	14/08/2009	
	EUTM	007437874	Cover letter for registration certificate.	14/08/2009	
	EUTM	007437874	Notification of acceptance for publication	31/03/2009	
	EUTM	007437874	Examination of application finished	20/01/2009	
	Inspection request	001303129	D112 \: Certified copy of the European Union trade mark application	15/12/2008	
	Inspection	001303129	D108-9\:\Issue copies / extracts + Notification Information	15/12/2008	

request

(EUTM+RCD).

Showing 1 to 10 of 13 entries

IR transformation

No entry

Seniority

No entry

Exhibition priority

No entry

Priority

No entry

Publications

Bulletin number	Date	Section	Description
2009/007	20/02/2009	A.1	Applications published under article 40 EUTMR
2009/028	27/07/2009	B.1	Registrations with no amendments since the application was published
2010/084	10/05/2010	C.2.2	Representative - Replacement of a representative
Showing 1 to 3 of 3 entries			

Cancellation

No entry

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2010/084	10/05/2010	C.2.2	004754647	Representative	Replacement of representative
Showing 1 to 1 of 1 entries					

Oppositions

No entry

Appeals

No entry

Decisions

No entry

Renewals

No entry

Trade mark relations

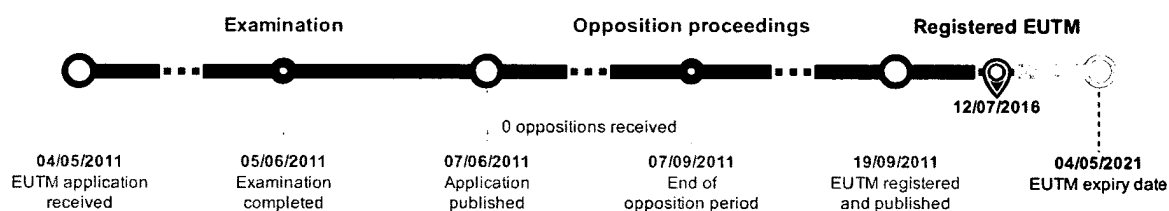
No entry

EUTM file information

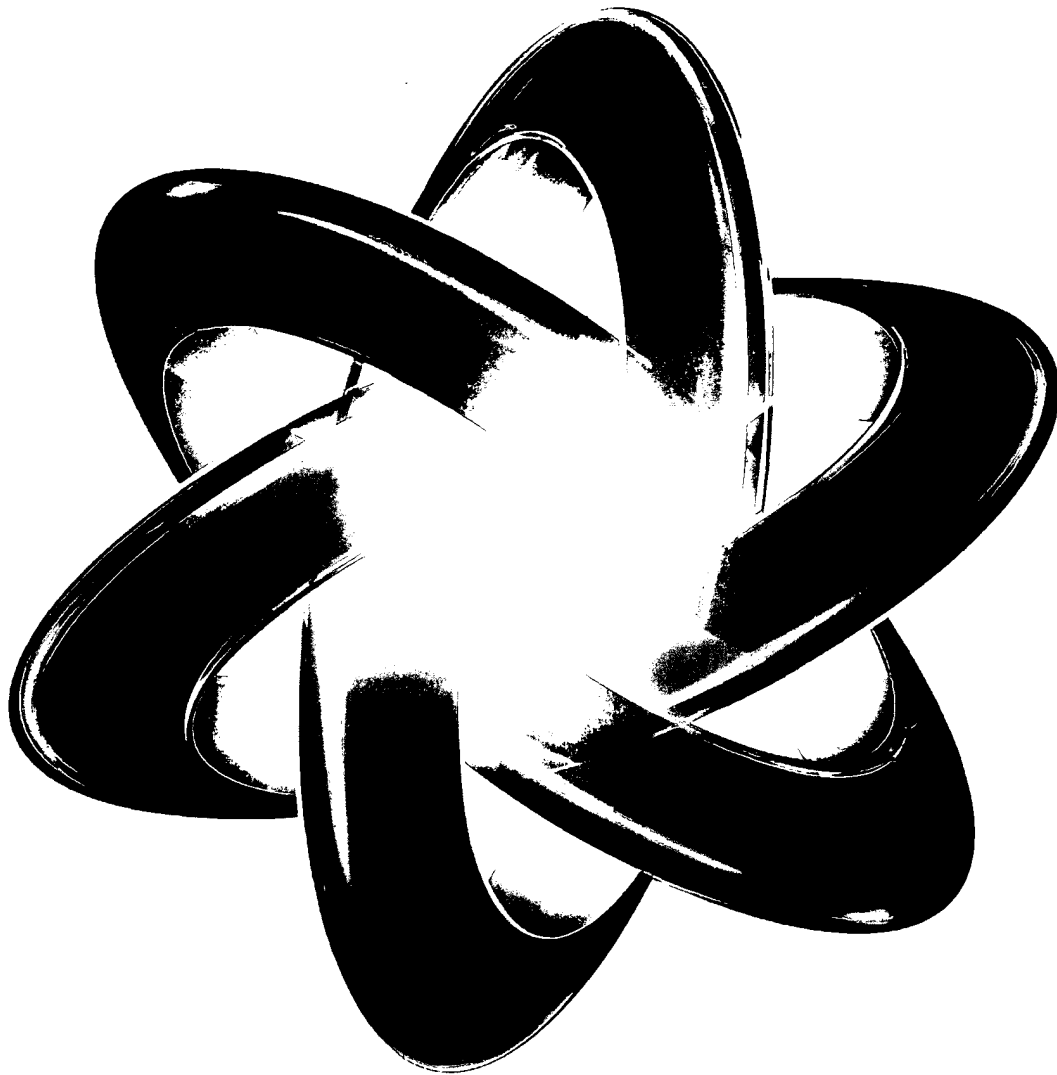
(Trade mark without text)

009939984

Timeline



Graphic representation



Trade mark information

Name	(Trade mark without text)	Filing date	04/05/2011
Filing number	009939984	Registration date	14/09/2011
Basis	EUTM	Expiry date	04/05/2021
Date of receipt	04/05/2011	Designation date	
Type	Figurative	Filing language	English
Nature	Individual	Second language	French
Nice classes	3 (Nice Classification)	Application reference	TM-548160-FC
Vienna Classification	10.01.03, 10.01.05, 10.01.11 (Vienna Classification)	Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

latviešu valoda (lv) ▼

3 Mazgāšanas un balināšanas līdzekļi; Tīrīšanas, pulēšanas, attaukošanas un abrazīvie līdzekļi; Ziepes; Ēteriskās eļļas; Kosmētiskie līdzekļi; Matu kopšana; Zobu pulveri un pastas.

Description

No entry

Owners

The Procter & Gamble Company

ID	110	Country	US - United States	Correspondence address	
Organisation	The Procter & Gamble Company	State/county	Ohio	The Procter & Gamble Company One Procter & Gamble Plaza Cincinnati, Ohio 45202-3315	Can be accessed and changed by authorised user via the User Area
Legal status	Legal entity	Town	Cincinnati,		
State, district or te...	Ohio	Post code	45202-3315	ESTADOS UNIDOS (DE AMÉRICA)	Can be accessed and changed by authorised user via the User Area
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Brincat, Deborah

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Organisation	PROCTER & GAMBLE France SAS	State/county	n/a	PROCTER & GAMBLE France SAS	00 33-140885441
Legal status	Individual	Town	Asnières Cédex	Deborah Brincat	00 33-140887907
Type	Employee	Post code	92665	163, quai Aulagnier	
		Address	163, quai Aulagnier	FRANCIA	

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	EUTM	009939984	Surveillance letter	23/03/2016	
	Inspection request	002552378	Issues copies/extracts & Notification information (EUTM+RCD)	01/12/2015	
	Inspection request	002552378	D113 : Certified copy of registration certificate	01/12/2015	
	Inspection request	002552378	D123-Legalizar documentos (NB: ES only)	01/12/2015	
	Inspection request	002552378	Issue copies/extracts+Notification Information (EUTM+RCD) outside EU	01/12/2015	
	Recordal	009009799	T725M - Registration of recordal C.2.2 / B.9.2	20/11/2014	

Recordal	009009799	Application form and attachment	19/11/2014
Inspection request	001926408	Priority (exhibition)	23/12/2011
Inspection request	001926408	D108-9\Issue copies/extracts+Notification Information (EUTM+RCD) generated as a PDF	23/12/2011
Inspection request	001926408	D112 \: Certified copy EUTM application form generated as PDF	23/12/2011

Showing 1 to 10 of 24 entries

IR transformation

No entry

Seniority

No entry

Exhibition priority

No entry

Priority

No entry

Publications

Bulletin number	Date	Section	Description
2011/106	07/06/2011	A.1	Applications published under article 40 EUTMR
2011/164	31/08/2011	C.2.1	Representative - Change of name and professional address
2011/177	19/09/2011	B.2	Registrations with amendments since the application was published
2014/221	24/11/2014	C.2.2	Representative - Replacement of a representative

Showing 1 to 4 of 4 entries

Cancellation

No entry

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2011/164	31/08/2011	C.2.1	005867984	Representative	Change of name and professional address
2014/221	24/11/2014	C.2.2	009009799	Representative	Replacement of representative

Showing 1 to 2 of 2 entries

Oppositions

No entry

Appeals

No entry

Decisions

No entry

Renewals

No entry

Trade mark relations

No entry

Section 18. Opposition to the Registration of a Trade Mark

(1) Within three months from the date of the publication of a trade mark, interested persons may, upon payment of the applicable fee, submit an opposition to the registration of a trade mark. The opposition shall be filed with the Board of Appeals in writing, substantiated by appropriate arguments and references to provisions of law. After expiration of the abovementioned term, the opponent does not have the right to change (expand) the initial legal basis of the opposition, but may, up until the decision of the Board of Appeals is taken, submit additional documents and materials, that confirm (detail) the facts on which the opposition is based.

(2) Any person may file an opposition, if the registered trade mark does not comply with the provisions of Section 3 of this Law, or if the registration would be invalidated in accordance with the provisions of Section 6, or if the provisions of Section 9, Paragraph three, Clause 1 are applicable.

(3) An opposition based on the provisions of Section 7 or 8 of this Law, or Section 9, Paragraph one, Paragraph two, Paragraph three, Clause 2, 3 or 4, or Paragraph four may be filed by persons who are the owners of earlier trade marks, well-known trade marks, or have other earlier rights (also their successors in title) or their representatives, as specified in the applicable provisions.

(4) An opposition based on the provisions of Section 8 or Section 9, Paragraph one, Paragraph two, Paragraph three, Clause 2, 3 or 4, of this Law in addition to the persons referred to in Paragraph three of this Section, may also be filed by professional associations and associations of manufacturers, traders and providers of services, whose articles of association provide for the protection of the economic interests of their associates (members), as well as by organisations and authorities, whose purpose, under their articles of association, is the protection of the rights of consumers.

(5) The Board of Appeals shall inform the owner of the opposed trade mark of the opposition and set a term of three months for the submission of a reply.

(6) If an opposition has not been filed within the term laid down in law, the registration of the trade mark may be contested only in court.

Section 39. Validity of an International Registration in Latvia

(5) Opposition to the entry into effect of an international registration of a trade mark in Latvia, as provided for in Section 18 of this Law, shall be filed within four months from the date of publication of a notice of trade mark registration with respect to Latvia (territorial extension to Latvia) in the official gazette of international registration of trade marks.

(6) If, as a result of an examination, it is determined that an international trade mark does not comply with the requirements of Paragraph four of this Section, or if an opposition has been filed to such registration, the Patent Office shall, within the terms and in accordance with the procedures laid down in the rules on the international registration of trade marks, notify the International Bureau of the refusal of the particular international registration (initial refusal). Within three months from the date of receipt of such a refusal, the owner of the international registration is entitled to submit an appeal (a reply to the opposition) as provided for in Section 17.1, Paragraph one of this Law.

Section 7. Earlier Trade Marks as Grounds for Invalidation of Trade Mark Registration

(1) A trade mark registration may be declared invalid in accordance with the provisions of this Law in the following cases:

1) it is identical to an earlier trade mark, and the goods or services in respect of which the trade mark was registered are identical to the goods or services in respect of which the earlier trade mark was registered;

2) in connection with its identity or similarity to, an earlier trade mark belonging to another person and the identity or similarity of the respective goods or services, there exists a likelihood of confusion of the trade marks or a likelihood of association between the trade marks on behalf of the relevant consumers.

Section 39.3 Additional Provisions for the Protection of the Community Trade Mark

(1) An opposition to the registration of a trade mark (Section 18) and the claim for invalidation of the registration of a trade mark (Section 31) apart from the earlier rights provided for in Sections 7, 8 and 9 of this Law may also be justified with an earlier identical or similar Community trade mark, which has a good reputation in the European Community and which is registered for goods or services which are not similar to those goods and services, which have a trade mark registered later (contested), but on condition that the use of the later trade mark without due cause takes unfair advantage of, or is detrimental to the distinctive character or the reputation of the Community trade mark or that such use of the later trade mark may be seen by consumers as a sign of connection between these goods and services and the owner of the referred to Community trade mark and such use may be detrimental to the interests of the owner of the Community trade mark. Such opposition and such claim may be submitted by the owner of the Community trade mark (or his or her successor in title) or his or her representative.

(2) In case of the illegal use of the Community Trade mark, the provisions of Sections 27 and 28 of this Law, the Civil Procedure Law and the provisions of other laws and regulations shall be applicable, unless otherwise laid down in Council Regulation No 207/2009.

(3) If, based on the rights arising from the registration of the Community trade mark, the registration of a later trade mark is contested, which is performed observing the procedures for registering trade marks laid down in this Law, or in accordance with the rules on the international registration and is extended to Latvia, or if the use of such later trade mark is contested, the provisions of Section 29 of this Law regarding the restrictions of rights as a result of acquiescence shall be observed.