


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

**REFUS PROVISOIRE DE PROTECTION**

notifié au Bureau international de l'Organisation Mondiale de la Propriété Intellectuelle (OMPI)  
conformément à la règle 17.1) du règlement d'exécution commun à  
l'Arrangement et au Protocole de Madrid

I.	Office qui notifie le refus : <b>Office National de la Propriété Intellectuelle (NOIP)</b> 384-386 Nguyen Trai, Hanoi, VIETNAM
II.	No de l'enregistrement international faisant l'objet du refus : <b>1138418</b>
III.	Nom et adresse du titulaire de l'enregistrement international faisant l'objet du refus : <b>PROFILATI S.P.A.</b> Via Pietro Galliani 135 Loc. Fossatone I-40059 Medicina (BO)
IV.	Motifs du refus : La marque déposée ne peut pas être enregistrée comme marque parce qu'elle est similaire à la marque internationale antérieure. En outre, elle étant constituée de simple figure géométriques est dépourvue de tout caractère distinctif.  "EKU" 638450                      27 Mai 2005 <b>EKU AG</b> 90, Wilerstrasse, CH-8370 SIRNACH Cl. 06,19,20
V.	Dispositions de la loi nationale applicables en la matière : Art. 74.2a, e de la Loi de la PI
VI.	<div style="display: flex; align-items: flex-start;"><div style="margin-right: 10px;"><input checked="" type="checkbox"/>  <input type="checkbox"/></div><div><div>Refus pour la totalité des produits et services</div><div>Refus pour les produits et/ou services suivants :</div></div></div>
VII.	Recours contre la décision de refus provisoire : a) délai de recours: 3 mois à partir de l'envoi de ce refus par l'OMPI b) autorité à laquelle le recours sera adressé: <b>Office National de la Propriété intellectuelle</b> 384-386 Nguyen Trai, Hanoi, <b>VIETNAM</b> c) assistance d'un mandataire local obligatoire: un mandataire en propriété industrielle au Vietnam
VIII.	Date à laquelle le refus a été prononcé : <b>06 Octobre 2016</b> <b>2015/40&gt;NNL29</b>
IX.	Signature ou sceau officiel de l'Office qui notifie le refus : Directeur Général   <b>Tran Viet Thanh</b>

	<b>638450</b>	6 10 2016
151	<b>Date of the registration</b> 26.05.1995	
180	<b>Expected expiration date of the registration/renewal</b> 26.05.2025	
270	<b>Language of the application</b> French	
	<b>Current Status</b>	
732	<b>Name and address of the holder of the registration</b> EKU AG 90, Wilerstrasse, CH-8370 SIRMACH Switzerland	
811	<b>Contracting State of which the holder is a national</b> CH (Switzerland)	
740	<b>Name and address of the representative</b> GACHNANG AG Patentanwalte Badstrasse 5, Postfach 323 CH-8501 Frauenfeld Switzerland	
540	<b>Mark</b> EKU	
566	<b>Translation of the mark or of words contained in the mark</b> éléments verbaux sans signification	
511	<b>International Classification of Goods and Services for the Purposes of the Registration of Marks</b> (Nice Classification) - NCL(6)	
06	Fittings of metal for furniture of wood, plastic materials and metal; doors and gates of all types (of metal).	
19	Doors and gates of all kinds (not of metal).	
20	Accessories for office furniture, namely drawers with hanging frames, drawers, cupboard runners, desk stands and desk frames, rotary trays; plastic trimmings for furniture made of wood, plastic materials and metal.	
822	<b>Basic registration</b> CH (Switzerland), 11 04.1991, 384 738	
832	<b>Designation(s) under the Madrid Protocol</b> DK (Denmark), EE (Estonia), FI (Finland), GB (United Kingdom), GR (Greece), IE (Ireland), KR (Republic of Korea), LT (Lithuania), NO (Norway), SE (Sweden), SG (Singapore), TR (Turkey), US (United States of America)	
834	<b>Designation(s) under the Madrid Protocol by virtue of Article 9sexies</b> AT (Austria), BX (Benelux), BY (Belarus), CN (China), CZ (Czech Republic), DE (Germany), ES (Spain), FR (France), HR (Croatia), HU (Hungary), IT (Italy), KZ (Kazakhstan), LI (Liechtenstein), LV (Latvia), ME (Montenegro), PL (Poland), PT (Portugal), RO (Romania), RS (Serbia), RU (Russian Federation), SI (Slovenia), SK (Slovakia), UA (Ukraine), VN (Viet Nam)	
527	<b>Indications regarding use requirements</b> GB (United Kingdom), IE (Ireland), SG (Singapore), US (United States of America)	
	<b>Registration</b>	
450	<b>Publication number and date</b> 1995/7 LMI, 19 09 1995	
831	<b>Designation(s) under the Madrid Agreement</b> AT (Austria), BX (Benelux), DE (Germany), ES (Spain), FR (France), IT (Italy)	

851	<b>Limitation of the list of goods and services</b> FI (Finland), GB (United Kingdom), SE (Sweden) List limited to:	
06	Fittings of metal for furniture of wood, plastic materials and metal; doors and gates of all types (of metal).	
20	Accessories for office furniture, namely drawers with hanging frames, drawers, cupboard runners, desk stands and desk frames, rotary trays; plastic trimmings for furniture made of wood, plastic materials and metal.	
580	<b>Date of recording (date of notification from which the time limit to notify the refusal starts)</b> 25.05.2000	
891	<b>Date of subsequent designation (Rule 24(6) of the Common Regulations)</b> 03.02.2000	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> DK (Denmark)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> FI (Finland)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> GB (United Kingdom)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> PT (Portugal)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> SE (Sweden)	

	<b>Subsequent designation</b>	
450	<b>Publication number and date</b> 2006/4 Gaz, 02.03.2006	
831	<b>Designation(s) under the Madrid Agreement</b> BY (Belarus), CN (China), CZ (Czech Republic), HR (Croatia), HU (Hungary), KZ (Kazakhstan), LI (Liechtenstein), LV (Latvia), PL (Poland), RO (Romania), RU (Russian Federation), SI (Slovenia), SK (Slovakia), UA (Ukraine), VN (Viet Nam), YU (Serbia and Montenegro)	
832	<b>Designation(s) under the Madrid Protocol</b> EE (Estonia), GR (Greece), IE (Ireland), KR (Republic of Korea), LT (Lithuania), NO (Norway), SG (Singapore), TR (Turkey)	
527	<b>Indications regarding use requirements</b> IE (Ireland), SG (Singapore)	
851	<b>Limitation of the list of goods and services</b> EE (Estonia), GR (Greece), IE (Ireland), KR (Republic of Korea), SG (Singapore) The subsequent designation concerns only classes 6 and 20	
580	<b>Date of recording (date of notification from which the time limit to notify the refusal starts)</b> 09.02.2006	
891	<b>Date of subsequent designation (Rule 24(6) of the Common Regulations)</b> 27.05.2005	

580	<b>Date of recording (date of notification from which the time limit to notify the refusal starts)</b> 31.07.1995	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> AT (Austria)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> BX (Benelux)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> DE (Germany)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> FR (France)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> IT (Italy)	
861	<b>Total provisional refusal of protection</b> ES (Spain)	
450	<b>Publication number and date</b> 1996/3 Gaz, 09.07.1996	
580	<b>Date of notification</b> 07.05.1996	
	<b>Date of receipt by the International Bureau</b> 26.04.1996	
897	<b>Statement indicating that protection of the mark is protected for some of the goods and services requested</b> ES (Spain)	
450	<b>Publication number and date</b> 1997/11 Gaz, 17.07.1997	
	Refusé pour tous les produits de la classe 20 et admis pour ceux des classes 6 et 19	
580	<b>Date of notification</b> 26.06.1997	
	<b>Date of receipt by the International Bureau</b> 05.06.1997	
	<b>Subsequent designation</b>	
450	<b>Publication number and date</b> 2000/10 Gaz, 22.06.2000	
831	<b>Designation(s) under the Madrid Agreement</b> PT (Portugal)	
832	<b>Designation(s) under the Madrid Protocol</b> DK (Denmark), FI (Finland), GB (United Kingdom), SE (Sweden)	
527	<b>Indications regarding use requirements</b> GB (United Kingdom)	

	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> BY (Belarus)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> EE (Estonia)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> GR (Greece)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> HR (Croatia)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> KZ (Kazakhstan)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> LI (Liechtenstein)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> LT (Lithuania)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> LV (Latvia)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> RU (Russian Federation)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> SI (Slovenia)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> SK (Slovakia)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> VN (Viet Nam)	
	<b>The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)</b> YU (Serbia and Montenegro)	

	<b>Designated contracting party(ies) for which the second installment has been paid (Rule 40(3))</b>	
450	<b>Publication number and date</b> 2006/4 Gaz, 02.03.2006	
831	<b>Designation(s) under the Madrid Agreement</b> PT (Portugal)	
832	<b>Designation(s) under the Madrid Protocol</b>	



LV (Latvia), ME (Montenegro), PL (Poland), PT (Portugal), RO (Romania), RS (Serbia), RU (Russian Federation), SI (Slovenia), SK (Slovakia), UA (Ukraine), VN (Viet Nam)

**527** **Indications regarding use requirements**

GB (United Kingdom), IE (Ireland), SG (Singapore), US (United States of America)