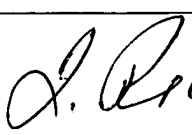



**MADRID AGREEMENT CONCERNING
THE INTERNATIONAL REGISTRATION OF MARKS
AND PROTOCOL RELATING TO THAT AGREEMENT
PROVISIONAL REFUSAL OF PROTECTION**

Notified to the World Intellectual Property Organisation (WIPO)
according to Article 5 of the Madrid Agreement and Madrid Protocol

I. Office making the notification of refusal PATENT OFFICE OF THE REPUBLIC OF LATVIA 7/70, Citadeles iela LV 1010, Rīga LATVIA	Phone 371 67099604 Fax 371 67099650
II. Number of the international registration which is the subject of refusal 1 301 308	
III. Name of the holder of the international registration concerning the subject of refusal VINĀRIA BOSTAVAN S.R.L., întreprindere mixtă Etulia, Vulcănești MD-5352 UTA Găgăuzia (MD)	
IV. The grounds of refusal: Opposition submitted by MAISON A.E. DOR, Société à responsabilité limitée 4bis, rue Jacques Moreau, F-16200 JARNAC (FR) Holder of WO 626723 /A.E. DOR/ and EUTM 002543866 /A.E. DOR/.	
V. Reference to the corresponding essential provisions of the Law of the Republic of Latvia On Trade Marks and Indications of Geographical Origin (see materials attached): Section 18, 39 (5) and (6). Opposition is based on Section 7. (1)2; 39³ (1).	
VI. <input checked="" type="checkbox"/> Refusal for all the goods and services. <input type="checkbox"/> Refusal for the following goods and services:	
VII. Possibilities to review or appeal The holder is entitled, within three months from the date on which the International Bureau has notified of the Provisional Refusal, to submit a substantiated appeal to the Patent Office through a professional local patent attorney (Law On Trade Marks and Indications of Geographical Origin, Section 17. ¹ ; Law on Industrial Property Institutions and Procedures, Section 58). After expiration of the said period the Board of Appeal shall take a decision to satisfy the opposition, fully or in part, or to dismiss it. The case can be reviewed, within three months from the date of notification of the Board of Appeal's decision, by a civil action initiated before the Riga City Vidzeme Suburb Court.	
VIII. Date on which the refusal was pronounced 20.10.2016	
IX. Signature and seal of the office making the notification of refusal Head of International trademark Division Līga Rinka	 

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 file with the Patent Office an application for opposition to the registration of a trade mark. The filing of the application for opposition, the progress and examination of it shall be executed/carried out according to the provisions of the Law on Industrial Property Institutions and Procedures.

[21 October 2004][19 November 2015]

Section 39. Validity of an International Registration in Latvia

[..]

(4) The Patent Office shall examine internationally registered trade marks to ascertain their compliance with the requirements of Sections 6 and 8 of this Law. In the case of registration of a collective mark it shall also be ascertained whether the by-laws on the use of the collective mark have been included in the registration, in compliance with the provisions of Section 35, Paragraph four of this Law.

(5) An application for 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 (provisional refusal). Within three months from the date on which the International Bureau has notified of the refusal, the owner of the international registration is entitled to submit a notice of appeal (a reply to the application for opposition) as provided for in Section 17.¹ 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.

(2) Earlier trade marks within the meaning of Paragraph one of this Section are:

1) trade marks valid in Latvia, which have been registered under national or international registration procedures, or as European Community trade marks (hereinafter – Community trade mark) in accordance with Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (codified version) (Text with EEA relevance) (hereinafter – Council Regulation No 207/2009) if the date of application for registration thereof is earlier than the date of application for registration of the contested trade mark, also taking into account the priority accorded to those trade marks;

2) applications for the registration of trade marks referred to in the previous Clause, provided that they are registered.

[21 October 2004; 14 October 2010]

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

IPO - ROMARIN - International Registration Details

626723

7.10.2016

- 151 **Date of the registration**
03.11.1994
- 180 **Expected expiration date of the registration/renewal**
03.11.2024
- 270 **Language of the application**
French

Current Status

- 732 **Name and address of the holder of the registration**
MAISON A.E. DOR, Société à responsabilité limitée 4bis, rue Jacques Moreau, F-16200 JARNAC France
- 811 **Contracting State of which the holder is a national**
FR (France)
- 842 **Legal nature of the holder (legal entity) and State, and, where applicable, territory within that State where the legal entity is organized**
Société à responsabilité limitée, France
- 740 **Name and address of the representative**
CABINET GERMAIN & MAUREAU 12 rue Boileau F-69006 LYON France
- 540 **Mark**
A.E. DOR
- 511 **International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(6)**
- 33 Cognac (French brandy), eaux-de-vie, various spirits, Pineau, rum.
- 821 **Basic application**
FR (France), 26.04.1988, 922 765
- 822 **Basic registration**
FR (France), 26.04.1988, 1 462 166
- 832 **Designation(s) under the Madrid Protocol**
AU (Australia), JP (Japan), NO (Norway), SG (Singapore)
- 834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**
BY (Belarus), CH (Switzerland), CN (China), RU (Russian Federation), UA (Ukraine), VN (Viet Nam)
- 527 **Indications regarding use requirements**
SG (Singapore)

Registration

- 450 **Publication number and date**
1994/11 LMi, 23.01.1995
- 831 **Designation(s) under the Madrid Agreement**
AT (Austria), BX (Benelux), CH (Switzerland), CN (China), CZ (Czech Republic), DE (Germany), ES (Spain), IT (Italy), PL (Poland), VN (Viet Nam)
- 580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**
22.12.1994
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)**

AT (Austria)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)

BX (Benelux)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)

CH (Switzerland)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)

CN (China)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)

CZ (Czech Republic)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)

DE (Germany)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)

ES (Spain)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)

IT (Italy)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)

PL (Poland)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)

VN (Viet Nam)

Subsequent designation

450

Publication number and date

1996/3 LMi, 21.05.1996

831

Designation(s) under the Madrid Agreement

HU (Hungary), LV (Latvia), PT (Portugal), RO (Romania), RU (Russian Federation), SK (Slovakia), UA (Ukraine)

580

Date of recording (date of notification from which the time limit to notify the refusal starts)

03.04.1996

891

Date of subsequent designation (Rule 24(6) of the Common Regulations)

04.03.1996

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)

HU (Hungary)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)

LV (Latvia)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)

PT (Portugal)

**The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)**

RO (Romania)

**The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)**

RU (Russian Federation)

**The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)**

SK (Slovakia)

**The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)**

UA (Ukraine)

Subsequent designation

450 **Publication number and date**

2002/3 Gaz, 21.03.2002

832 **Designation(s) under the Madrid Protocol**

JP (Japan)

580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**

21.02.2002

891 **Date of subsequent designation (Rule 24(6) of the Common Regulations)**

17.12.2001

Subsequent designation

450 **Publication number and date**

2002/3 Gaz, 21.03.2002

832 **Designation(s) under the Madrid Protocol**

NO (Norway)

580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**

21.02.2002

891 **Date of subsequent designation (Rule 24(6) of the Common Regulations)**

11.01.2002

861 **Total provisional refusal of protection**

JP (Japan)

450 **Publication number and date**

2003/1 Gaz, 20.02.2003

580 **Date of notification**

09.01.2003

Date of receipt by the International Bureau

24.12.2002

Grant of protection subject to opposition

NO (Norway)

450 **Publication number and date**

2003/1 Gaz, 20.02.2003

Opposition end date

23.02.2003

868 Grant of protection

NO (Norway)

450 Publication number and date

2003/6 Gaz, 01.05.2003

897 Statement indicating that protection of the mark is protected for some of the goods and services requested

JP (Japan)

450 Publication number and date

2003/11 Gaz, 10.07.2003

List limited to:

- 33 Grape brandy of Charente, Charente-Maritime, Dordogne and Deux-Sevres origin in France; eaux-de-vie; various spirits; aperitifs made from unfermented grape juice and brandy of Charente origin in France; rum.

580 Date of notification

27.05.2003

Date of receipt by the International Bureau

16.05.2003

Renewal

450 Publication number and date

2004/39 Gaz, 23.12.2004

831 Designation(s) under the Madrid Agreement

CH (Switzerland), CN (China), RO (Romania), RU (Russian Federation), UA (Ukraine), VN (Viet Nam)

832 Designation(s) under the Madrid Protocol

JP (Japan), NO (Norway)

Designated contracting party(ies) which has not been the subject of a renewal (Rule 31(4)(b))

AT (Austria), BX (Benelux), CZ (Czech Republic), DE (Germany), ES (Spain), HU (Hungary), IT (Italy), LV (Latvia), PL (Poland), PT (Portugal), SK (Slovakia)

Subsequent designation

450 Publication number and date

2005/49 Gaz, 12.01.2006

831 Designation(s) under the Madrid Agreement

BA (Bosnia and Herzegovina), YU (Serbia and Montenegro)

832 Designation(s) under the Madrid Protocol

AU (Australia), SG (Singapore), TR (Turkey)

527 Indications regarding use requirements

SG (Singapore)

580 Date of recording (date of notification from which the time limit to notify the refusal starts)

22.12.2005

891 **Date of subsequent designation (Rule 24(6) of the Common Regulations)**
08.09.2005
**The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)**
BA (Bosnia and Herzegovina)
**The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)**
YU (Serbia and Montenegro)

861 **Total provisional refusal of protection**

SG (Singapore)

450 **Publication number and date**

2006/17 Gaz, 01.06.2006

580 **Date of notification**

26.04.2006

Date of receipt by the International Bureau

10.04.2006

868 **Grant of protection**

AU (Australia)

450 **Publication number and date**

2006/30 Gaz, 31.08.2006

Grant of protection subject to opposition

TR (Turkey)

450 **Publication number and date**

2006/42 Gaz, 23.11.2006

Opposition end date

12.01.2007

Subsequent designation

450 **Publication number and date**

2006/50 Gaz, 18.01.2007

831 **Designation(s) under the Madrid Agreement**

BY (Belarus)

580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**

28.12.2006

891 **Date of subsequent designation (Rule 24(6) of the Common Regulations)**

03.11.2006

**The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)**

BY (Belarus)

Opposition possible after the 18 months time limit

SG (Singapore)

450 **Publication number and date**

2007/19 Gaz, 14.06.2007

Continuation of effect

450 **Publication number and date**
2007/24 Gaz, 19.07.2007

833 **Interested Contracting Party(ies)**
ME (Montenegro)

580 **Date of recording**
15.06.2007

Grant of protection

TR (Turkey)

450 **Publication number and date**
2007/40 Gaz, 08.11.2007

Statement indicating that protection of the mark is refused for all the goods and services requested

SG (Singapore)

450 **Publication number and date**
2007/51 Gaz, 24.01.2008

580 **Date of notification**
19.12.2007

Date of receipt by the International Bureau
10.12.2007

Renewal

450 **Publication number and date**
2014/45 Gaz, 20.11.2014

832 **Designation(s) under the Madrid Protocol**
AU (Australia), JP (Japan), NO (Norway)

834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**
BY (Belarus), CH (Switzerland), CN (China), RU (Russian Federation), UA (Ukraine), VN (Viet Nam)

Designated contracting party(ies) which has not been the subject of a renewal (Rule 31(4)(b))

BA (Bosnia and Herzegovina), ME (Montenegro), RO (Romania), RS (Serbia), SG (Singapore), TR (Turkey)

Subsequent designation

450 **Publication number and date**
2015/28 Gaz, 23.07.2015

832 **Designation(s) under the Madrid Protocol**
SG (Singapore)

527 **Indications regarding use requirements**
SG (Singapore)

580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**
23.07.2015

891 **Date of subsequent designation (Rule 24(6) of the Common Regulations)**
06.07.2015

862 **Partial provisional refusal of protection**
SG (Singapore)

450 **Publication number and date**
2015/41 Gaz, 22.10.2015

862 **Partial provisional refusal of protection**
As from November 14, 2005, provisional refusals indicate only whether they are total or partial, without listing the goods and services, or the classes, affected or not affected.

580 **Date of notification**
09.10.2015
Date of receipt by the International Bureau
07.10.2015

Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)

SG (Singapore)
450 **Publication number and date**
2016/6 Gaz, 18.02.2016
Opposition end date
05.04.2016

Statement indicating the goods and services for which protection of the mark is granted under Rule 18ter(2)(ii)

SG (Singapore)
450 **Publication number and date**
2016/28 Gaz, 21.07.2016

List limited to:

33 Spirits with the geographical indication "Cognac", brandy, various spirits, Pineau, rum.

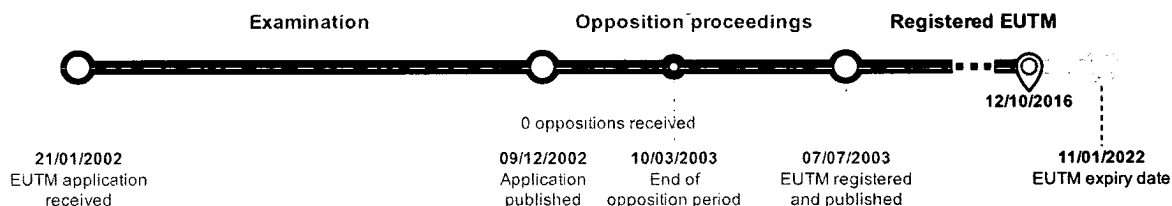
580 **Date of notification**
21.07.2016
Date of receipt by the International Bureau
19.04.2016

EUTM file information

A.E. DOR

002543866

Timeline



Trade mark information

Name	A.E. DOR	Filing date	11/01/2002
Filing number	002543866	Registration date	23/05/2003
Basis	EUTM	Expiry date	11/01/2022
Date of receipt	21/01/2002	Designation date	
Type	Word	Filing language	French
Nature	Individual	Second language	English
Nice classes	33 (Nice Classification)	Application reference	JS/IB
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en)

33 Alcoholic fruit extracts, alcoholic essences, alcoholic beverages (except beers), alcoholic aperitifs, cocktails, curaçao, alcoholic spirits and digestives, cider, brandies, alcoholic beverages containing fruit, wine, vodka, whisky, cognac, armagnacs, rum.

Description

No entry

Owners

MAISON A.E. DOR Société à Responsabilité Limitée

ID	131733	Country	FR - France	Correspondence address	
Organisation		State/county	n/a	MAISON A.E. DOR Société à Responsabilité Limitée	
		Town	Jarnac		

Can be accessed and changed by authorised user via the User Area



Filing number	Registration number	Country	Priority date	Filing date	Registration date	International code	Status
	à Responsabilité Limitée	Address 4015, rue Jacques Moreau		FRANCIA			changed by authorised user via the User Area
Legal status	Legal entity						Can be accessed and changed by authorised user via the User Area

Representatives

CABINET GERMAIN & MAUREAU

ID	12455	Country	FR - France	Correspondence address	
Organisation	n/a	State/country	n/a	CABINET GERMAIN & MAUREAU	00 33-472698430
Legal status	Legal person	Town	Lyon	BP 6153	00 33-472698431
Type	Association	Post code	69006	F-69466 Lyon Cedex 06	
		Address	12, rue Boileau	FRANCIA	gm@germainmaureau.com

Correspondence

	From	Procedure	Filing number	Subject	Date	Actions
		Recordal	008662267	Seniorities - notification of entry	24/07/2014	
		Recordal	008662267	Application form and attachment	23/07/2014	
		Recordal	008662267	Certificate	23/07/2014	
		Recordal	005690238	L607 \: Notification of the total renewal of the EUTM	24/10/2011	
		Recordal	005690238	Application form and attachment	18/10/2011	
		Recordal	005690238	L601A \: Notification of the need to renew an EUTM registration	20/06/2011	
		Recordal	001171969	Seniorities - notification of entry	05/11/2004	
		Recordal	001171969	T600 Acknowledgement of receipt - All recordals.	28/10/2004	
		Recordal	001171969	Application form and attachment	18/10/2004	
		Recordal	001171969	Certificate	18/10/2004	
Showing 1 to 10 of 22 entries						

IR transformation

No entry

Seniority

Filing number	Registration number	Country	Priority date	Filing date	Registration date	International code	Status
	0626723	Benelux			03/11/1994	Madrid	ACCEPTED
	0626723	Austria			03/11/1994	Madrid	ACCEPTED
	0626723	Czech Republic			03/11/1994	Madrid	ACCEPTED
	0626723	Germany			03/11/1994	Madrid	ACCEPTED

Bulletin number	Date	Section	Filing number	Title	Subtitle
0626723		Spain		03/11/1994	Madrid
					ACCEPTED
0626723		Hungary		03/11/1994	Madrid
					ACCEPTED
0626723		Italy		03/11/1994	Madrid
					ACCEPTED
0626723		Latvia		03/11/1994	Madrid
					ACCEPTED
0626723		Poland		03/11/1994	Madrid
					ACCEPTED
0626723		Portugal		03/11/1994	Madrid
					ACCEPTED
Showing 1 to 10 of 12 entries					

Exhibition priority

No entry

Priority

No entry

Publications

Bulletin number	Date	Section	Description
2002/098	09/12/2002	A.1	Applications published under article 40 EUTMR
2003/056	07/07/2003	B.1	Registrations with no amendments since the application was published
2007/031	09/07/2007	C.8.1	Claims of seniority
2011/203	26/10/2011	D.1	Renewals
2014/138	28/07/2014	C.8.1	Claims of seniority
Showing 1 to 5 of 5 entries			

Cancellation

No entry

Records

Bulletin number	Date	Section	Filing number	Title	Subtitle
2007/031	09/07/2007	C.8.1	001171969	Seniority	Claims of seniority
2011/203	26/10/2011	D.1	005690238	Renewal	Total Renewal
2014/138	28/07/2014	C.8.1	008662267	Seniority	Claims of seniority
Showing 1 to 3 of 3 entries					

Oppositions

No entry

Appeals

No entry

Decisions



Title	Filing number	Status	Status date
No entry			

Renewals

Title	Filing number	Status	Status date
Renewal	005690238	Trade mark renewed	26/10/2011
Showing 1 to 1 of 1 entries			

Trade mark relations

No entry