

Model Form 3

MADRID AGREEMENT AND PROTOCOL
PROVISIONAL REFUSAL OF PROTECTION

Rule 17(1)

I.	Office making the notification: Egyptian trademark office
II.	Number of the international registration: 1081336
III.	Name of the holder (or other indication enabling the identity of the international registration to be confirmed): K2 Markenrechte GmbH
IV.	<input checked="" type="checkbox"/> Provisional refusal based on an <i>ex officio</i> examination <input type="checkbox"/> Provisional refusal based on an opposition ¹ <input type="checkbox"/> Provisional refusal based on both an <i>ex officio</i> examination and an opposition ¹
V.	<input type="checkbox"/> Provisional refusal for all the goods and/or services <input checked="" type="checkbox"/> Provisional refusal for some of the goods and/or services: [followed by an indication of the goods and/or services which are affected or are not affected] ² Provisional refusal for all the goods and/or services CL(04-09-11)
VI.	Grounds for refusal [(where applicable, see item VII)]: The brand is similar to the following brands :- 1104378-674543-291692-404904

¹ The name and address of the opponent should also be provided.

² Where all the goods or services included in a given class are to be mentioned, the indication should read "all goods (or all services) in class X". In all cases, a clear indication should be given as to whether those goods and/or services are affected, or are NOT affected.

VII. Information relating to an earlier mark³ :

Filing date and number, and, if any, priority date:

Registration date and number :-

1104378 (06/11/2011)(International Registration)

Name and address of the owner :-

KENDAL ELEKTRİK AYDINLATMA ELEKTRONİK- İNŞAAT SANAYİ VE DIŞ TİCARET- LIMITED ŞİRKETİ
Kuledibi, Büyükhendek Caddesi, No:28- Beyoğlu-İstanbul- (TR)

Reproduction of the mark:

K2

List of all or relevant goods and/or services:

CL(09)

Measurement tools, instruments and indicators including the ones for scientific purposes and for laboratory use; laboratory apparatus and instruments for scientific use; apparatus for reproduction, recording and transmission of sound and images, including electronic tools, computer softwares and hardwares for data processing, communicating, and duplicating; magnetic and optical recorders or recorders in the form of exposed films; antennas, satellite antennas, amplifiers and parts thereof; vending machines, ticket dispensers, ATMs; electrical and electronic components used at machines and equipments; meters and timers to get consuming amount for a specific period of time; controlling instruments and tools for conduction, conversion, storage of electrical energy (including cables and power sources used in electricity and electronics); warning instruments and alarms, (except vehicle alarms), electric alarm bells; electric flat irons; electric steam irons; electronic signalling apparatus and instruments, signalling devices as traffic-light devices; fire extinguishing apparatus and devices including vehicles for fire extinguishing purposes; electric welding apparatus (including welding electrodes); radar apparatus, sonars, apparatus and devices for the improvement of night sighting; electric devices for attracting and killing insects; automatic doors for buildings, automatic turnstiles, electric, electronic or remote control door closers/openers of buildings and vehicles; apparatus for electrolysis and galvanizing purposes; anodes, cathodes; magnets, decorative magnets.

CL(11)

Illuminating equipment (illuminating armatures for vehicles, indoor and outdoor spaces); apparatus for heating and steam generating (including stoves and kitchen stoves functioning with coal, fuel, electricity and gas); air conditioning and ventilation apparatus; refrigerators and freezers; electric and gas apparatus, machines and instruments for cooking, drying and boiling purposes (including the ones for personal care); water installations, sanitary ware; water softening apparatus, water purification apparatus, water purification system, waste treatment system; instruments including hand drying apparatus for washrooms (included in this class) used in beauty saloons; mattress and blankets, electric, other than medical use, heating pillows, electric or non-electric foot warmers; filters and filter-motor combinations for aquariums; industry type cooking, drying and cooling installation; pasteurizers and sterilizers.

Registration date and number :-

674543 (06/02/1997)(International Registration)

Name and address of the owner :-

K2 Sports Europe GmbH

Seeshaupter Strasse 62- 82377 Penzberg (DE)

Reproduction of the mark:

K2

List of all or relevant goods and/or services:

CL(09)

Sports helmets, crash helmets; sunglasses.

³

Where the grounds on which the provisional refusal is based relate to an earlier mark, as indicated under item VI. The indication required under this item may be given by annexing a printout from the register or database.

Registration date and number :-

291692 (05/08/2013)(National Registration)

Name and address of the owner :-

YK - Tawantr Active Software - INC

622 Broadway - New York - New York 010 012 - United States

Reproduction of the mark:



List of all or relevant goods and/or services:

CL(09)

برامج وسوفتواير الكمبيوتر والالعاب الفيديو - برامج وسوفتواير الكمبيوتر والالعاب الفيديو للتحميل - تحميل المواد
الرقمية وخصوصا - الرنات وسور الحائط وشاشة التوقف - وملفات الموسيقى الرقمية والرسومات والفيديو والافلام وملفات
الوسائط المتعددة والبرامج المباشرة والصور المتحركة و برامج والكمبيوتر والالعاب الفيديو الحيوية جميع تسليمها عبر
شبكات الكمبيوتر العالمية والشبكات اللاسلكية - وسائل الاعلام الرقمية المسجلة يضم العال كالمبيوتر والالعاب الفيديو
وخصوصا الرنات وسور الحائط وشاشة التوقف وملفات الموسيقى الرقمية والرسومات والفيديو والافلام وملفات الوسائط
المتعددة والبرامج المباشرة والصور المتحركة وبرامج والكمبيوتر والالعاب الفيديو الحيوية بالفئة 9 دون غيرها

Registration date and number :-

404904 (10/01/1974)(International Registration)

Name and address of the owner :-

MENELAUS BV

Archimedesbaan 18 D -NL-3439 ME Nieuwegein (NL)

Reproduction of the mark:



List of all or relevant goods and/or services:

CL(04)

Chemicals for technical use in the household and industrial domains.

IX. Information relating to subsequent procedure:

(i) Time limit for requesting review or appeal:

30 days from the date to inform you with the addition of 60 days due to the distance .

(ii) Authority to which such request for review or appeal should be made:

Egyptian trade mark office

4 Nasr Road, Makram Ebied St, Nasr city- Cairo – Egypt

X. Date of the notification of provisional refusal: 24/11/2016

XI. Signature or official seal of the Office making the notification:

Examiner:- Mona Mostafa

Somaya Hana