



**OIFIG NA bPAITINNÍ  
PATENTS OFFICE**

Oifig an Rialtais  
Bóthar Hebron  
Cill Chainnigh  
Éire

Government Buildings  
Hebron Road  
Kilkenny  
Ireland

**WORLD INTELLECTUAL PROPERTY ORGANISATION  
34, CHEMIN DES COLOMBETTES  
PO BOX 18  
1211 GENEVA 20  
SWITZERLAND**

Date of Notification: 07 December 2016  
(By registered Mail)

**International Registration No: 1315700  
Mark:  
Holder: "GRAND CANDY" LLC of Armenia**

**Notification of the Irish Patents Office of Total Provisional Refusal**

Dear Sir/Madam,

This notification is issued pursuant to Article 5 of the Protocol relating to the Madrid Agreement concerning the International Registration of Marks and Rule 17(2) of the Common Regulations under the Agreement and Protocol, and is to inform you that protection for this mark is refused for the reasons set out below. Any references to Sections are to Sections of the Trade Marks Act, 1996 and to Rules are to Rules of the Trade Marks Rules, 1996.

1.

**Section 10(2)**

There exists a likelihood of confusion on the part of the public between the mark and the following earlier mark(s):

Registered European Union Trade Mark No:008285165

Mark:

Proprietor:Orkla Confectionery & Snacks Finland Ab

Sundsvägen 420

22410 GODBY

Finland

Date of Application:07/05/2009

Date of Registration:10/11/2009

Class 5 : Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

Class 30 : Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces

(condiments); spices; ice.

Class 35 : Advertising; business management; business administration; office functions.

Class 41 : Education; providing of training; entertainment; sporting and cultural activities.

Registered European Union Trade Mark No:008285942

Mark:

Proprietor:Orkla Confectionery & Snacks Finland Ab

Sundsvägen 420

22410 GODBY

Finland

Date of Application:07/05/2009

Date of Registration:08/03/2010

Class 5 : Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

Class 30 : Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.

Class 35 : Advertising; business management; business administration; office functions.

Class 41 : Education; providing of training; entertainment; sporting and cultural activities.

Pending European Union Trade Mark Application No:014758288

Mark:DOUBLE PANDA

Applicant:Asiana Limited

Asiana House, Dabell Avenue, Blenheim Industrial Estate

Nottingham NG6 8WA

United Kingdom

Date of Application:14/01/2016

Class 5 : Food for babies; dietary supplements for humans and meal replacements.

Class 6 : Metallic packaging containers for food and drink; aluminium containers for packaging food and drink.

Class 16 : Paper and cardboard not included in other classes; printed matter and printed publications; books, brochures, catalogues; recipes; recipe cards and recipe books; binders for recipe collections; printed plastic cards; stationery; plastic materials for packaging (not included in other classes); paper materials for packaging (not included in other classes); cardboard materials for packaging (not included in other classes); packaging of plastic, paper or cardboard for packaging food and drink products; plastic bags; paper bags; cartons of plastic for packaging food and drink products; cartons of paper or cardboard for packaging food and drink products.

Class 20 : Plastic containers; containers of plastic for packaging; containers of

plastic for packaging food and drink; plastic trays used in food packaging; food containers for commercial packaging use.

Class 21 : Household or kitchen utensils and containers; containers for food and drink; cartons for food and drink; foil food containers; food and drink storage containers; containers and cartons of plastic for food and drink.

Class 29 : Meat, fish, poultry and game; meat extracts; preserved, dried, frozen and cooked fruits and vegetables; tinned vegetables; tinned fruit; frozen vegetables; frozen fruit; soups; tinned soups; frozen soups; soup cubes; soup powders; soup pastes; stock cubes; jellies; jams; compotes; eggs; milk and milk products; coconut milk; edible oils and fats; pickles; pineapple pieces (tinned); tinned sweet and savoury goods, including fruit, vegetables, oils, condiments, meat and fish; corn snacks; nut snacks; dried fruit snacks; dried vegetable snacks; fresh fruit snacks; fresh vegetable snacks; cooked fruit snacks; cooked vegetable snacks; fish pastes; meat pastes; poultry pastes; vegetable pastes.

Class 30 : Coffee; tea; cocoa; sugar; rice; rice flakes; rice flour; tapioca; sago; artificial coffee; flour and preparations made from cereals; bread; pastry and confectionery; prawn crackers; spring rolls noodles; vermicelli; chocolate; ices; honey; treacle; yeast; powders namely spices, chilli powder, curry powder, baking powder, custard powder, anardana powder; salt; mustard vinegar; sauces (condiments); sauce powders; spices; seasonings; ice; crispbread snacks; savoury snacks; rice cake snacks; cereal snacks; sesame snacks; thickeners; noodle based prepared meals; fruit sauces.

Class 31 : Grains and agricultural, horticultural and forestry products not included in other classes; fresh fruits and vegetables; seeds; natural plants and flowers; malt.

Class 32 : Beers.

Class 33 : Alcoholic beverages (except beers); wine; cooking wine; rice wine; sake.

2. This refusal is in respect of all of the goods for which protection is sought.
3. The holder may make representations in writing, or may request an extension of time for doing so, not later than 07/03/2017. A request for an extension of time received after that date may be granted at the discretion of the Controller.
4. If representations or a request for an extension of time are not received by the specified date, protection of the mark will be refused.
5. Representations to the Controller or a request for a hearing in relation to this notification of refusal must be accompanied by an address for service within the European Economic Area as required by Rule 10(1)(a) as amended by Statutory Instrument No. 410 of 2010; failure to furnish such address will result in the holder being deemed to have abandoned his request for protection.
6. If, following the receipt of representations, it is considered that the requirements for protection are met, the mark will be published in the Official Journal and protection of it will be subject to opposition and observations by third parties. A refusal based on opposition or observations received may subsequently be issued.

7. Date of refusal: **07 December 2016**

Yours faithfully

A handwritten signature in cursive script, appearing to read 'Frank Jordan', is shown within a rectangular box.

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**Frank Jordan**  
**Trade Mark and Design Examination Division**  
**Direct Line: (056) 7720161**  
**Ext: 4161**  
**tmexam@patentsoffice.ie**