



FINNISH PATENT AND
REGISTRATION OFFICE

**THE PROTOCOL RELATING TO THE MADRID AGREEMENT
CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS**

PROVISIONAL REFUSAL BASED ON AN OPPOSITION

notified to the International Bureau of the World Intellectual Property Organization (WIPO) according to
Art. 5 of the Madrid Protocol

I. Office refusing protection:

**Finnish Patent and Registration Office
Trademarks
P.O. Box 1170
FIN-00101 HELSINKI
Telephone: +358-29-509 5000
Telefax: +358-29-509 5328**

II. Number of the international registration which is the subject of the refusal: 1315700

III. Other information concerning the international registration which is subject of the refusal:



IV. The grounds for this refusal are the following:

An opposition to the mark has been made by Orkla Confectionery & Snacks Finland Ab

According to the opponent the mark is in respect of all of the goods in class 30 liable to be confused with the following national trademark: Panda; registered under number 29027 for identical and similar kinds of goods in class 30 (extract from the trademark register enclosed).

According to the opponent the mark is in respect of all of the goods in class 30 liable to be confused with the following national trademark: PANDA; registered under number 251305 for identical and similar kinds of

goods in class 30 (extract from the trademark register enclosed).

According to the opponent the mark is in respect of all of the goods in class 30 liable to be confused with the following national trademark: Panda; registered under number 221939 for identical and similar kinds of goods in class 30 (extract from the trademark register enclosed).

According to the opponent the mark is in respect of all of the goods in class 30 liable to be confused with the following national trademark: Panda; registered under number 223567 for identical and similar kinds of goods in class 30 (extract from the trademark register enclosed).

According to the opponent the mark is in respect of all of the goods in class 30 liable to be confused with the following EU trademark: PANDA; registered under number 8684961 for identical and similar kinds of goods in class 30. (The enclosed information of the EU trademark is a printout from eSearch plus (EUIPO's Database)).

According to the opponent the mark is in respect of all of the goods in class 30 liable to be confused with the following EU trademark: (figurative); registered under number 8285165 for identical and similar kinds of goods in class 30. (The enclosed information of the EU trademark is a printout from eSearch plus (EUIPO's Database)).

According to the opponent the mark is in respect of all of the goods in class 30 liable to be confused with the following EU trademark: (figurative); registered under number 8285942 for identical and similar kinds of goods in class 30. (The enclosed information of the EU trademark is a printout from eSearch plus (EUIPO's Database)).

According to the opponent the mark is in respect of all of the goods in class 30 liable to be confused with the following EU trademark: PANDA; registered under number 10398618 for identical and similar kinds of goods in class 30. (The enclosed information of the EU trademark is a printout from eSearch plus (EUIPO's Database)).

According to the opponent the mark PANDA has a reputation in Finland, and the use of the mark without due cause would take unfair advantage of the distinctive character or the repute of the trademark, or be detrimental to the distinctive character or the repute of the trademark..

According to the opponent the mark is in respect of all of the goods in class 30 liable to be confused with the PANDA trademark family.

The name and address of the opponent: Orkla Confectionery & Snacks Finland Ab
Sundsvägen 420
22410 GODBY FI

The name and address of the representative of the opponent: Berggren Oy
Visiokatu 1
33720 Tampere FI

V. Provisions of the Finnish Trademarks Act applicable on the subject (enclosed):

Art. 6 paragraph 2
Art. 6 paragraph 1, Art. 14 paragraph 1 item 7

VI. Total refusal.

VII. The holder of the registration is invited to comment the opposition. The statement shall be received by the Finnish Patent and Registration Office no later than within 12 weeks from the date of the refusal.

The time limit expires 30.08.2017 (dd.mm.yyyy).

Please use the following reference number when submitting the statement: V201700044

The statement, which is to be drawn up in Finnish or Swedish, has to be filed through the intermediary of a representative resident in the European Economic Area (Art. 56 f).

VIII. Opposition period began 31.03.2017 (dd.mm.yyyy), ended 31.05.2017 (dd.mm.yyyy)

IX. Date on which the refusal was pronounced: 07.06.2017 (dd.mm.yyyy)

X. Signature of the Office: 07.06.2017 Finnish Patent and Registration Office

Mika Kivi

Head of Unit

+358 9 6939 5835

This document has been electronically signed.

OTE TAVARAMERKKIREKISTERISTÄ
UTDRAG UR VARUMÄRKESREGISTRET
EXTRACT OF THE REGISTER OF TRADEMARKS

Rekisterinnumero		Rekisteröintipäivä	
Registernummer		Registreringsdatum	
Registration number (111)	29027	Date of registration (151)	09.05.1955

Rekisteröinti päättyy	
Registreringen upphör	
Registration expires (180)	09.05.2025

Hakemusnumero		Hakemispäivä	
Ansökningsnummer		Ingivandedatum	
Application number (210)	T195402054	Filing date (220)	02.11.1954

Haltija - Innehavare - Holder (732)

Orkla Confectionery & Snacks Finland Ab, Maarianhamina, FI

Asiamies - Ombud - Representative (740)

Berggren Oy, Helsinki, FI

Tavaramerkki - Varumärke - Trademark (540)

Panda

Tavarat/palvelut - Varor/tjänster - Goods/services (511)

Luokka/Klass/Class 30
Makeiset, suklaa ja lakritsa.

Rekisterimerkintöjä
Registeranteckningar
Entries in the register

Merkintä - Anteckning - Entry

Merkitty rekisteriin

Hakemispäivä

Luovutuspäivä

Sopimuspäivä

Antecknad i registret

Ingivandedatum

Datum för överlåtelsen

Datum för avtalet

Entry in the register

Filing date

Date of assignment

Date of agreement

Selitys - Förklaring - Explanation

Tavara- /palveluluettelon muutos

Ändring av varu-/tjänsteförteckning

10.06.1965

Uudistus

Förnyelse

10.06.1965

08.05.1965

Uudistus

Förnyelse

05.05.1976

09.05.1975

Uudistus

Förnyelse

26.07.1985

10.04.1985

Haltijan/asiamiehen nimen tai kotipaikan muutos

Ändring av innehavarens/ombudets namn/hemort

22.04.1991

27.03.1991

02.01.1988

Uudistus

Förnyelse

10.11.1995

15.02.1995

Oikaisu

Rättelse

10.11.1995

15.02.1995

tavaraluettelon oikaisu

Asiamiehen muutos

Ändring av ombud

05.02.1998

30.01.1998

Uudistus

Förnyelse

15.02.2005

01.12.2004

Siirto

Överlåtelse

15.02.2005

01.12.2004

25.11.2004

Siirto

Överlåtelse

09.05.2014

29.01.2014

31.12.2013

Uudistus

Förnyelse

30.01.2015

Asiamiehen muutos

Ändring av ombud

07.07.2016

14.04.2016

Haltijan/asiamiehen nimen tai kotipaikan muutos

Ändring av innehavarens/ombudets namn/hemort

02.02.2017

19.10.2016

Haltijan ilmoittama osoite - Innehavarens adress enligt anmälan - Reported address of the trademark owner:

Sundsvägen 420, 22410, GODBY, FI

OTE TAVARAMERKKIREKISTERISTÄ
UTDRAG UR VARUMÄRKESREGISTRET
EXTRACT OF THE REGISTER OF TRADEMARKS

Rekisterinnumero		Rekisteröintipäivä	
Registernummer		Registreringsdatum	
Registration number (111)	251305	Date of registration (151)	15.03.2011

Rekisteröinti päättyy	
Registreringen upphör	
Registration expires (180)	15.03.2021

Hakemusnumero		Hakemispäivä	
Ansökningsnummer		Ingivandedatum	
Application number (210)	T201001712	Filing date (220)	07.06.2010

Haltija - Innehavare - Holder (732)

Orkla Confectionery & Snacks Finland Ab, Maarianhamina, FI

Asiamies - Ombud - Representative (740)

Berggren Oy, Helsinki, FI

Tavaramerkki - Varumärke - Trademark (540)

PANDA

Tavarat/palvelut - Varor/tjänster - Goods/services (511)

Luokka/Klass/Class 29
Maito- ja kermavanukkaat.

Luokka/Klass/Class 30
Vanukkaat.

Luokitus NCL(9):n mukaan - Klassificering enligt NCL(9) - Classified in accordance with NCL(9)

Rekisterimerkintöjä
Registeranteckningar
Entries in the register

Merkintä - Anteckning - Entry

Merkitty rekisteriin

Hakemispäivä

Luovutuspäivä

Sopimuspäivä

Antecknad i registret

Ingivandedatum

Datum för överlåtelsen

Datum för avtalet

Entry in the register

Filing date

Date of assignment

Date of agreement

Selitys - Förklaring - Explanation

Siirto

Överlåtelse

09.05.2014

29.01.2014

31.12.2013

Asiamiehen muutos

Ändring av ombud

12.09.2016

14.04.2016

Haltijan/asiamiehen nimen tai kotipaikan muutos

Ändring av innehavarens/ombudets namn/hemort

02.02.2017

19.10.2016

Haltijan ilmoittama osoite - Innehavarens adress enligt anmälan - Reported address of the trademark owner:

Sundsvägen 420, 22410, GODBY, FI

OTE TAVARAMERKKIREKISTERISTÄ
UTDRAG UR VARUMÄRKESREGISTRET
EXTRACT OF THE REGISTER OF TRADEMARKS

Rekisterinnumero		Rekisteröintipäivä	
Registernummer		Registreringsdatum	
Registration number (111)	221939	Date of registration (151)	15.10.2001

Rekisteröinti päättyy	
Registreringen upphör	
Registration expires (180)	15.10.2021

Hakemusnumero		Hakemispäivä	
Ansökningsnummer		Ingivandedatum	
Application number (210)	T200003634	Filing date (220)	31.10.2000

Haltija - Innehavare - Holder (732)

Orkla Confectionery & Snacks Finland Ab, Maarianhamina, FI

Asiamies - Ombud - Representative (740)

Berggren Oy, Helsinki, FI

Tavaramerkki - Varumärke - Trademark (540)



Tavarat/palvelut - Varor/tjänster - Goods/services (511)

Luokka/Klass/Class 30

Ei-lääkinnälliset makeiset, lakritsi ja suklaa.

Rekisterimerkintöjä
Registeranteckningar
Entries in the register

Merkintä - Anteckning - Entry

Merkitty rekisteriin

Hakemispäivä

Luovutuspäivä

Sopimuspäivä

Antecknad i registret

Ingivandedatum

Datum för överlåtelsen

Datum för avtalet

Entry in the register

Filing date

Date of assignment

Date of agreement

Selitys - Förklaring - Explanation

Siirto

Överlåtelse

21.10.2003

26.03.2003

14.03.2003

Uudistus

Förnyelse

07.02.2011

Siirto

Överlåtelse

09.05.2014

29.01.2014

31.12.2013

Asiamiehen muutos

Ändring av ombud

09.09.2016

14.04.2016

Haltijan/asiamiehen nimen tai kotipaikan muutos

Ändring av innehavarens/ombudets namn/hemort

02.02.2017

19.10.2016

Haltijan ilmoittama osoite - Innehavarens adress enligt anmälan - Reported address of the trademark owner:

Sundsvägen 420, 22410, GODBY, FI

OTE TAVARAMERKKIREKISTERISTÄ
UTDRAG UR VARUMÄRKESREGISTRET
EXTRACT OF THE REGISTER OF TRADEMARKS

Rekisterinnumero
Registernummer
Registration number (111) 223567

Rekisteröintipäivä
Registreringsdatum
Date of registration (151) 30.04.2002

Rekisteröinti päättyy
Registreringen upphör
Registration expires (180) 30.04.2022

Hakemusnumero
Ansökningsnummer
Application number (210) T200004270

Hakemispäivä
Ingivandedatum
Filing date (220) 15.12.2000

Haltija - Innehavare - Holder (732)

Orkla Confectionery & Snacks Finland Ab, Maarianhamina, FI

Asiamies - Ombud - Representative (740)

Berggren Oy, Helsinki, FI

Tavaramerkki - Varumärke - Trademark (540)



Tavarat/palvelut - Varor/tjänster - Goods/services (511)

Luokka/Klass/Class 30

Kahvi, tee, kaakao, sokeri, riisi, tapioka, saago, kahvinkorvike; jauhot ja viljavalmisteet, leipä, leivonnaiset, makeiset, jäätelöt; hunaja, siirappi; hiiva, leivinjauhe; suola, sinappi; etikka, kastikkeet (mauste-); mausteet; jää.

Rekisterimerkintöjä
Registeranteckningar
Entries in the register

Merkintä - Anteckning - Entry

Merkitty rekisteriin

Hakemispäivä

Luovutuspäivä

Sopimuspäivä

Antecknad i registret

Ingivandedatum

Datum för överlåtelsen

Datum för avtalet

Entry in the register

Filing date

Date of assignment

Date of agreement

Selitys - Förklaring - Explanation

Uudistus

Förnyelse

02.12.2011

Siirto

Överlåtelse

09.05.2014

29.01.2014

31.12.2013

Asiamiehen muutos

Ändring av ombud

09.09.2016

14.04.2016

Haltijan/asiamiehen nimen tai kotipaikan muutos

Ändring av innehavarens/ombudets namn/hemort

02.02.2017

19.10.2016

Haltijan ilmoittama osoite - Innehavarens adress enligt anmälan - Reported address of the trademark owner:

Sundsvägen 420, 22410, GODBY, FI

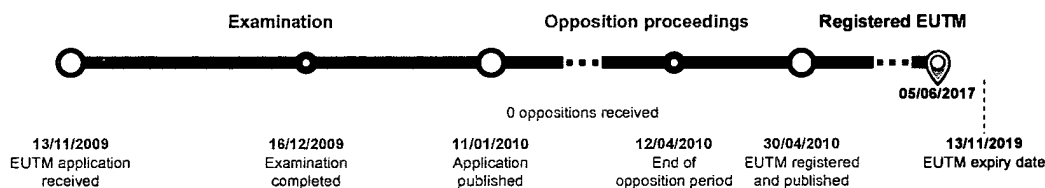


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EUTM file information

PANDA
008684961

Timeline



Trade mark information

Name	PANDA	Filing date	13/11/2009
Filing number	008684961	Registration date	29/04/2010
Basis	EUTM	Expiry date	13/11/2019
Date of receipt	13/11/2009	Designation date	
Type	Word	Filing language	Finnish
Nature	Individual	Second language	English
Nice classes	30 (Nice Classification)	Application reference	BV202285
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en)



30 Non-medicated confectionary, liquorice and chocolate.

Description

No entry

Owners

Orkla Confectionery & Snacks Finland Ab

ID	259364	Country	FI - Finland	Correspondence address	Can be accessed and changed by authorised user via the User Area
Organisation	Orkla Confectionery & Snacks Finland Ab	State/county	n/a	Orkla Confectionery & Snacks Finland Ab	
		Town	GODBY	Sundsvägen 420	
		Post code	22410	FI-22410 GODBY	
Legal status	Legal entity	Address	Sundsvägen 420	FINLANDIA	

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

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

Representatives

BERGGREN OY

ID	10880	Country	FI - Finland	Correspondence address	
Organisation	n/a	State/county	n/a	BERGGREN OY	00 358-102272000
Legal status	Legal person	Town	Helsinki	Eteläinen Rautatiekatu 10 A	
Type	Association	Post code	00100	FI-00100 Helsinki	00 358-96933944
		Address	Eteläinen Rautatiekatu 10 A		email@berggren.fi

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	EUTM	008684961	Surveillance letter	05/01/2017	
	Recordal	011786236	C.2.1. - Representative - change of name & address - entry on the register - automatic template	04/11/2016	
	Recordal	011786236	Letter to the EUIPO	19/10/2016	
	EUTM	008684961	Surveillance letter	10/08/2016	
	EUTM	008684961	Surveillance letter	11/04/2016	
	EUTM	008684961	Surveillance letter	08/02/2016	
	EUTM	008684961	Surveillance letter	08/01/2016	
	Recordal	009782270	T72RY	27/08/2015	
	Recordal	009782270	Letter to the EUIPO	10/08/2015	
	Recordal	008300058	Transfers - entry on the register.	21/03/2014	

Showing 1 to 10 of 21 entries

IR transformation

No entry

Seniority

Filing number	Registration number	Country	Priority date	Filing date	Registration date	International code	Status
	232848	Sweden		28/09/1982		EU	ACCEPTED

Showing 1 to 1 of 1 entries

Exhibition priority

No entry

Priority

No entry

Publications

Bulletin number	Date	Section	Description
2010/004	11/01/2010	A.1	Applications published under article 40 EUTMR
2010/078	30/04/2010	B.1	Registrations with no amendments since the application was published
2012/077	24/04/2012	C.8.1	Claims of seniority
2014/056	25/03/2014	C.1.1	Proprietor - Total transfers
2015/150	12/08/2015	C.2.1	Representative - Change of name and professional address
2016/200	21/10/2016	C.2.1	Representative - Change of name and professional address

Showing 1 to 6 of 6 entries

Cancellation

No entry

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2012/077	24/04/2012	C.8.1	006430865	Seniority	Claims of seniority
2014/056	25/03/2014	C.1.1	008300058	Proprietor	Total transfers
2015/150	12/08/2015	C.2.1	009782270	Representative	Change of name and professional address
2016/200	21/10/2016	C.2.1	011786236	Representative	Change of name and professional address

Showing 1 to 4 of 4 entries

Oppositions

No entry

Appeals

No entry

Decisions

No entry

Renewals

No entry

Trade mark relations

No entry



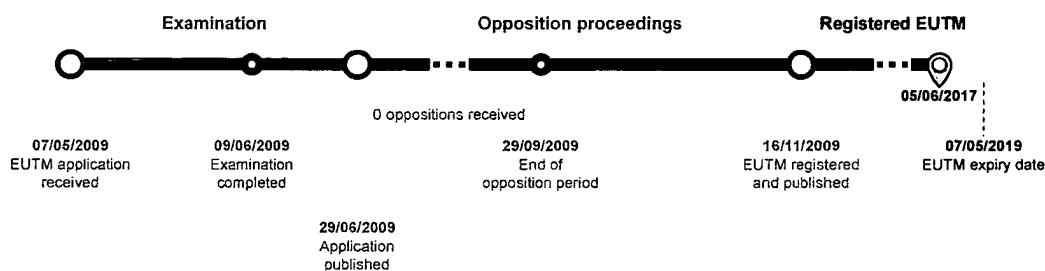
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EUTM file information

(Trade mark without text)

008285165

Timeline



Graphic representation



Trade mark information

Name	(Trade mark without text)	Filing date	07/05/2009
Filing number	008285165	Registration date	10/11/2009

Basis	EUTM	Expiry date	07/05/2019
Date of receipt	07/05/2009	Designation date	
Type	Figurative	Filing language	Finnish
Nature	Individual	Second language	English
Nice classes	5, 30, 35, 41 (Nice Classification)	Application reference	BV200844
Vienna Classification	03.01.15 (Vienna Classification)	Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en)



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.

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.

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

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

Description

No entry

Owners

Orkla Confectionery & Snacks Finland Ab

ID	259364	Country	FI - Finland	Correspondence address	
Organisation	Orkla Confectionery & Snacks Finland Ab	State/county	n/a	Orkla Confectionery & Snacks Finland Ab Sundsvägen 420 FI-22410 GODBY FINLANDIA	Can be accessed and changed by authorised user via the User Area
Legal status	Legal entity	Town	GODBY		
		Post code	22410		
		Address	Sundsvägen 420		Can be accessed and changed by authorised user via the User Area
					Can be accessed and changed by authorised user via the User Area

Representatives

BERGGREN OY

ID	10880	Country	FI - Finland	Correspondence address	
Organisation	n/a	State/county	n/a	BERGGREN OY Eteläinen Rautatiekatu 10 A FI-00100 Helsinki FINLANDIA	00 358-102272000
Legal status	Legal person	Town	Helsinki		00 358-96933944
Type	Association	Post code	00100		
		Address	Eteläinen Rautatiekatu 10 A		email@berggren.fi

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	011786236	C.2.1. - Representative - change of name & address - entry on the register - automatic template	04/11/2016	
	Recordal	011786236	Letter to the EUIPO	19/10/2016	
	EUTM	008285165	Surveillance letter	21/12/2015	
	Recordal	009782270	T72RY	27/08/2015	
	Recordal	009782270	Letter to the EUIPO	10/08/2015	
	Recordal	008300058	Transfers - entry on the register.	21/03/2014	
	Recordal	008300058	Application form and attachment	14/03/2014	
	EUTM	008285165	Cover letter for registration certificate.	17/11/2009	
	EUTM	008285165	Certificate of Registration	17/11/2009	
	EUTM	008285165	Search report transmitted (Article 38(1) and (6))	08/06/2009	

Showing 1 to 10 of 12 entries

IR transformation

No entry

Seniority

No entry

Exhibition priority

No entry

Priority

No entry

Publications

Bulletin number	Date	Section	Description
2009/024	29/06/2009	A.1	Applications published under article 40 EUTMR
2009/044	16/11/2009	B.1	Registrations with no amendments since the application was published
2014/056	25/03/2014	C.1.1	Proprietor - Total transfers
2015/150	12/08/2015	C.2.1	Representative - Change of name and professional address
2016/200	21/10/2016	C.2.1	Representative - Change of name and professional address

Showing 1 to 5 of 5 entries

Cancellation

No entry

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2014/056	25/03/2014	C.1.1	008300058	Proprietor	Total transfers
2015/150	12/08/2015	C.2.1	009782270	Representative	Change of name and professional address

Bulletin number	Date	Section	Filing number	Title	Subtitle
2016/200	21/10/2016	C.2.1	011786236	Representative	Change of name and professional address

Showing 1 to 3 of 3 entries

Oppositions

No entry

Appeals

No entry

Decisions

No entry

Renewals

No entry

Trade mark relations

No entry



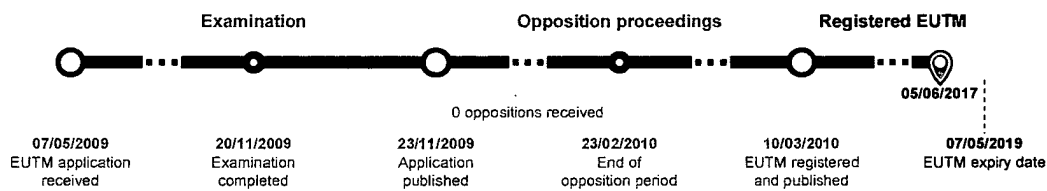
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EUTM file information

(Trade mark without text)

008285942

Timeline



Graphic representation



Trade mark information

Name	(Trade mark without text)	Filing date	07/05/2009
Filing number	008285942	Registration date	08/03/2010
Basis	EUTM	Expiry date	07/05/2019
Date of receipt	07/05/2009	Designation date	
Type	Figurative	Filing language	Finnish
Nature	Individual	Second language	English

Nice classes	5, 30, 35, 41 (Nice Classification)	Application reference	BV200845
Vienna Classification	03.01.15 (Vienna Classification)	Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en) ☒

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.

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.

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

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

Description

No entry

Owners

Orkla Confectionery & Snacks Finland Ab

ID	259364	Country	FI - Finland	Correspondence address	
Organisation	Orkla Confectionery & Snacks Finland Ab	State/county	n/a	Orkla Confectionery & Snacks Finland Ab	Can be accessed and changed by authorised user via the User Area
		Town	GODBY	Sundsvägen 420	
		Post code	22410	FI-22410 GODBY	
Legal status	Legal entity	Address	Sundsvägen 420	FINLANDIA	Can be accessed and changed by authorised user via the User Area
					Can be accessed and changed by authorised user via the User Area

Representatives

BERGGREN OY

ID	10880	Country	FI - Finland	Correspondence address	
Organisation	n/a	State/county	n/a	BERGGREN OY	00 358-102272000
Legal status	Legal person	Town	Helsinki	Eteläinen Rautatiekatu 10 A	
Type	Association	Post code	00100	FI-00100 Helsinki	00 358-96933944
		Address	Eteläinen Rautatiekatu 10 A	FINLANDIA	email@berggren.fi

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	011786236	C.2.1. - Representative - change of name & address - entry on the register - automatic template	04/11/2016	

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	011786236	Letter to the EUIPO	19/10/2016	
	EUTM	008285942	Surveillance letter	21/12/2015	
	Recordal	009782270	T72RY	27/08/2015	
	Recordal	009782270	Letter to the EUIPO	10/08/2015	
	Recordal	008300058	Transfers - entry on the register.	21/03/2014	
	Recordal	008300058	Application form and attachment	14/03/2014	
	EUTM	008285942	Cover letter for registration certificate.	18/03/2010	
	EUTM	008285942	Certificate of Registration	17/03/2010	
	EUTM	008285942	Notification of acceptance for publication	25/11/2009	

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
2009/045	23/11/2009	A.1	Applications published under article 40 EUTMR
2010/046	10/03/2010	B.1	Registrations with no amendments since the application was published
2014/056	25/03/2014	C.1.1	Proprietor - Total transfers
2015/150	12/08/2015	C.2.1	Representative - Change of name and professional address
2016/200	21/10/2016	C.2.1	Representative - Change of name and professional address

Showing 1 to 5 of 5 entries

Cancellation

No entry

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2014/056	25/03/2014	C.1.1	008300058	Proprietor	Total transfers
2015/150	12/08/2015	C.2.1	009782270	Representative	Change of name and professional address
2016/200	21/10/2016	C.2.1	011786236	Representative	Change of name and professional address

Showing 1 to 3 of 3 entries

Oppositions

No entry

Appeals

No entry

Decisions

No entry

Renewals

No entry

Trade mark relations

No entry

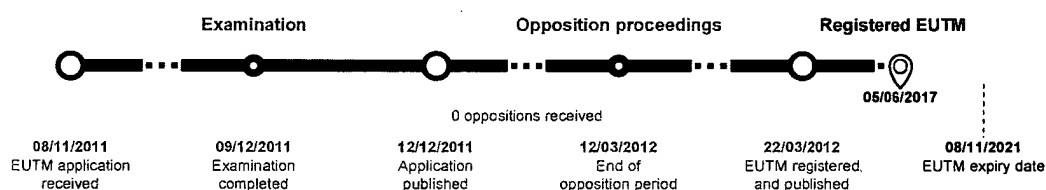


Protect your intellectual property in the European Union

EUTM file information

PANDA
010398618

Timeline



Graphic representation



Trade mark information

Name	PANDA	Filing date	08/11/2011
Filing number	010398618	Registration date	20/03/2012
Basis	EUTM	Expiry date	08/11/2021
Date of receipt	08/11/2011	Designation date	
Type	Figurative	Filing language	Finnish
Nature	Individual	Second language	English

Nice classes	30 (Nice Classification)	Application reference	BV207568
Vienna Classification	26.13.25 (Vienna Classification)	Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en) ☒

30 Non-medicated confectionary, liquorice and chocolate.

Description

No entry

Owners

Orkla Confectionery & Snacks Finland Ab

ID	259364	Country	FI - Finland	Correspondence address	
Organisation	Orkla Confectionery & Snacks Finland Ab	State/county	n/a	Orkla Confectionery & Snacks Finland Ab Sundsvägen 420 FI-22410 GODBY FINLANDIA	Can be accessed and changed by authorised user via the User Area
		Town	GODBY		
		Post code	22410		
Legal status	Legal entity	Address	Sundsvägen 420		Can be accessed and changed by authorised user via the User Area
					Can be accessed and changed by authorised user via the User Area

Representatives

BERGGREN OY

ID	10880	Country	FI - Finland	Correspondence address	
Organisation	n/a	State/county	n/a	BERGGREN OY Eteläinen Rautatiekatu 10 A FI-00100 Helsinki FINLANDIA	00 358-102272000
Legal status	Legal person	Town	Helsinki		00 358-96933944
Type	Association	Post code	00100		
		Address	Eteläinen Rautatiekatu 10 A		email@berggren.fi

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	EUTM	010398618	Surveillance letter	05/01/2017	
	Recordal	011786236	C.2.1. - Representative - change of name & address - entry on the register - automatic template	04/11/2016	
	Recordal	011786236	Letter to the EUIPO	19/10/2016	
	EUTM	010398618	Surveillance letter	10/08/2016	
	EUTM	010398618	Surveillance letter	11/04/2016	

From	Procedure	Filing number	Subject	Date	Actions
	EUTM	010398618	Surveillance letter	08/02/2016	
	EUTM	010398618	Surveillance letter	08/01/2016	
	Recordal	009782270	T72RY	27/08/2015	
	Recordal	009782270	Letter to the EUIPO	10/08/2015	
	Recordal	008300058	Transfers - entry on the register.	21/03/2014	

Showing 1 to 10 of 18 entries

IR transformation

No entry

Seniority

No entry

Exhibition priority

No entry

Priority

No entry

Publications

Bulletin number	Date	Section	Description
2011/234	12/12/2011	A.1	Applications published under article 40 EUTMR
2012/057	22/03/2012	B.1	Registrations with no amendments since the application was published
2014/056	25/03/2014	C.1.1	Proprietor - Total transfers
2015/150	12/08/2015	C.2.1	Representative - Change of name and professional address
2016/200	21/10/2016	C.2.1	Representative - Change of name and professional address

Showing 1 to 5 of 5 entries

Cancellation

No entry

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2014/056	25/03/2014	C.1.1	008300058	Proprietor	Total transfers
2015/150	12/08/2015	C.2.1	009782270	Representative	Change of name and professional address
2016/200	21/10/2016	C.2.1	011786236	Representative	Change of name and professional address

Showing 1 to 3 of 3 entries

Oppositions

No entry

Appeals

No entry

Decisions

No entry

Renewals

No entry

Trade mark relations

No entry

Extract from the Finnish Trademarks Act
No. 7 of January 10, 1964, as amended
(Unofficial translation)

Article 1

This act lays down provisions on an exclusive right to a trademark used in the course of trade for goods and services. This act also lays down provisions on the Community trademark and the international registration of trademarks.

The provisions on goods laid down in this act also apply to services.

Article 2

A trademark can be any distinctive mark that is used in the course of trade and can be represented graphically.

Article 3

A mark is deemed to be distinctive if it can be used to distinguish goods from those of others in the course of trade. A mark denoting the kind, quality, quantity, purpose, price, or place or time of manufacture either exclusively or with only minor modifications or additions cannot as such be deemed to be distinctive. When evaluating the distinctiveness of a mark, attention must be paid to all circumstances, particularly to how long and how broadly the mark has been used.

Article 5

An exclusive right cannot be obtained to a mark that is solely formed by the characteristic shape of the goods, the shape of the goods necessary for achieving a technical result, or a shape that has essential effect on the value of the goods.

Article 5a

The name or company name of another party may not be included in a trademark. Nor may the auxiliary company name or secondary symbol of another party be included in a trademark, unless they are devoid of distinctive character or are from different lines of business or of a different type of goods.

Article 6

With the exceptions laid down later, the exclusive right to a trademark includes that no-one other than the proprietor of the trademark may use the following as a mark of their goods in the course of trade without the proprietor's consent:

- 1) a mark that is identical with the protected trademark for identical goods;
- 2) a mark that, due to its identicalness with or similarity to the protected trademark for identical or similar goods causes a risk of confusion among the public, which also includes a risk of association between the mark and the trademark.

If the trademark has a reputation in Finland, and the use of the mark without due cause would take unfair advantage of the distinctive character or the repute of the trademark, or be detrimental to the distinctive character or the repute of the trademark, no-one other than the proprietor of the exclusive right to the trademark may in the course of trade use a mark that is identical with or similar to the trademark with a reputation without the consent of the proprietor, even if the goods for which the mark is used are not identical or similar to those for which the trademark with a reputation is protected.

The following are deemed to be usage in the course of trade:

- 1) affixing the mark to the goods or to the packaging thereof;
- 2) offering the goods or putting them on the market, or stocking them for those purposes, under the mark;
- 3) importing or exporting the goods under the mark, or importing the goods for transport to a third country;
- 4) using the mark on business papers in marketing; and
- 5) other corresponding use of the mark.

Verbal usage is also deemed to be the usage of the mark in the course of trade referred to in subsection 3 above.

Article 7

An exclusive right to a trademark does not prevent another party from using any of the following in the course of trade in accordance with good business practices:

- 1) one's own name, company name, auxiliary company name, secondary symbol or address;
- 2) markings indicating the kind, quality, quantity, purpose, value, geographical origin, manufacturing time or other characteristics of the goods; and
- 3) the trademark, if its use is necessary for indicating the purpose of the goods.

Article 13

A mark that is not distinctive in accordance with section 3 or for which an exclusive right cannot be obtained under section 5 does not meet the conditions of registration.

A trademark may not however be refused registration on the grounds of lack of distinctive character, if the trademark has become distinctive through use prior to the date on which the application for registration was filed.

Article 14

A trademark is not registered, if:

- 1) it is contrary to law and order or morality;
- 2) it is liable to mislead the public;
- 3) without proper permission, it includes state armorial bearings, a state flag or other state emblem; an official sign or hallmark, indicating control and warranty, for goods for which the mark is to be registered or for goods similar to them; the armorial bearings of a Finnish municipality, or the flag, armorial bearings or other emblem, name or abbreviation of an international intergovernmental organisation; or some other device, name or abbreviation, if its inclusion in the trademark can cause a risk of the public confusing the trademark with said emblem, sign, hallmark, name or abbreviation;
- 4) it is formed of something, or includes something, that is likely to give the impression that it is another party's protected company name or another party's auxiliary company name or secondary symbol of the kind referred to in section 5a, or the name or likeness of another person, unless the name or likeness is evidently that of someone deceased a long time ago;
- 5) it is formed of something, or includes something, that is likely to give the impression that it is the name of another's protected literary or artistic work, if the name is of a special nature, or if it infringes another's copyright in a work or another's rights in a photograph or a protected design;
- 6) it causes a risk that the public confuses it with the name, protected company name or auxiliary company name of another trader in such a manner that the confusion could be invoked under section 5 of the Trade Names Act (128/1979);
- 7) the proprietor of an earlier trademark possesses the exclusive right to using the mark as a sign of the goods in the course of trade;
- 8) the trademark applicant has made the application for registration in bad faith;
- 9) it causes a risk of confusion with the name of a plant variety protected in Finland or in the European Union;
- 10) there is an obstacle to the registration as referred to in Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs; Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007; Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89; or Regulation (EU) No 251/2014 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91.

An earlier trademark referred to above in paragraph 7 of subsection 1 means:

- 1) a national trademark that was registered based on an earlier application, or that otherwise has earlier priority than the trademark applicant;
- 2) a trademark that is protected by an international registration and is valid in Finland or in the European Union, and that based on this registration has an earlier right in Finland or the European Union than the trademark applicant;
- 3) a Community trademark referred to in section 57, registered based on an earlier application than the trademark application, or that has seniority from Finland under Article 34 or 35 of the Council Regulation mentioned in section 57;
- 4) a trademark that is established when the registration is applied for.

In cases referred to in paragraphs 4—8 of subsection 1, the trademark can be registered with the consent of the party whose right is in question, and there is, according to subsection 1, otherwise no obstacle to registration.

Article 15

The exclusive rights in a trademark acquired by registration do not cover any part of the mark that cannot be registered as such.

If the trademark contains any such part and there are special reasons to believe that its registration may cause uncertainty regarding the extent of the exclusive rights granted, protection of the part may be specifically disclaimed when the registration is made.

If a part of a trademark excluded from protection later becomes registrable, a new registration may be made to cover that part or the entire trademark without the exclusion of the part from protection.

Article 17

The application for registration of a trademark shall be filed in writing with the registering authority. The application shall indicate the name or trade name of the applicant and the goods and classes of goods for which the mark is intended. The mark shall be clearly shown in the application.

A filing fee shall be paid on the filing of the application. The application shall not be considered filed until the fee has been paid.

Article 51a

Provisions on appeals against a decision of the Finnish Patent and Registration Office in a trademark matter are laid down in section 6 of the Act on the Finnish Patent and Registration Office (578/2013).

Article 56a

When the registration authority receives a notification of an international registration having effect in Finland from the International Bureau, it shall examine whether there is any obstacle to the registration.

Article 56b

If the registration authority finds that a trademark filed for international registration does not comply with the conditions of registration laid down in this Act, it shall notify the International Bureau that the international registration has no effect in Finland. The registration authority shall notify its refusal, together with a statement of all grounds, to the International Bureau before the expiry of a period of 18 months from the date of the International Bureau notification referred to in Article 56a.

If the statement issued by the proprietor of an international registration commenting on the notification by the registration authority referred to in the foregoing paragraph does not present any grounds on which the trademark could be deemed to comply with the conditions of registration laid down in this Act, the registration authority shall rule that the international registration has no or only a partial effect in Finland.

If the proprietor of an international registration has not within the given time limit submitted his statement commenting on the registration authority's notification referred to in paragraph 1, the international registration shall not take effect in Finland. If the said notification only concerned some of the goods in the international registration, the international registration shall take effect in Finland in respect of those of the goods that the notification did not concern.

Article 56c

If no obstacle to registration is found, the registration authority shall give public notice of the International Bureau notification referred to in Article 56a as laid down in the first paragraph of Article 20. The public notice shall specify the date accorded to the international registration by the International Bureau.

Any opposition to an international registration in Finland shall be filed in writing with the registration authority within two months of the date of the public notice.

Article 56d

The Finnish Patent and Registration Office sends a notification of an opposition referred to in section 56c, and grounds of it, to the International Bureau referred to in section 53. Regardless of whether the proprietor of the international registration has given a statement due to the notification, the Finnish Patent and Registration Office must examine the opposition.

Due to the opposition, the Finnish Patent and Registration Office must make a decision that the international registration has no effect in Finland, if the registration does not meet the conditions of registration under this act. If the registration meets the conditions of registration under this act only in part, the Finnish Patent and Registration Office must make a decision that the registration has effect only in part. The Finnish Patent and Registration Office must reject the opposition, if there is no obstacle to the international registration in Finland.

If the Finnish Patent and Registration Office decides that the international registration has no effect in Finland or has effect only in part, it makes an entry of this in the record referred to in section 53(2) and gives public notice of the decision once it has become final.

Article 56f

If the proprietor of an international registration who is not domiciled in Finland wishes to submit a statement to the Finnish Patent and Registration Office, the proprietor must appoint a representative resident in the European Economic Area. A corporate body domiciled in the European Economic Area may also act as a representative.

Article 56l

An appeal against a decision by the registration authority may be lodged by the applicant for or proprietor of an international registration who has sought such registration in Finland if the decision has been unfavorable to him or if the case has been dismissed.

An appeal against a decision taken by the registration authority declaring an international registration effective in Finland despite an opposition filed may be lodged by the person who filed the opposition. Even if the person who filed the opposition withdraws his appeal, the case may be examined if there are special reasons for doing so.

Article 51a shall apply as appropriate to appeals under the foregoing two paragraphs.

Article 57a

A request which concerns the conversion of a Community trade mark, an application therefor or an international registration designating the European Community into an application for a national trademark and which the Community Trade Mark Office has forwarded to the office, shall be treated as a national application provided that the applicant:

pays the prescribed fees; (2) submits the registering authority a translation in Finnish or Swedish of the conversion request and the accompanying annex filed in a foreign language; (3) gives the address at which the applicant can be reached in Finland; and (4) provides a representation of the trademark.

An application based on conversion of a Community trade mark or an application therefor is considered to have the same filing date, priority and seniority from Finland as the Community trade mark or the application therefor. An application based on conversion of an international registration designating the European Community has as its filing date the date of the international registration or that of a subsequent designation of the European Community, and it enjoys the priorities and seniorities of the international registration.