



REPUBLIC OF SLOVENIA  
**MINISTRY OF ECONOMIC DEVELOPMENT AND TECHNOLOGY**  
SLOVENIAN INTELLECTUAL PROPERTY OFFICE

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WIPO (World Intellectual Property Organization)  
34, chemin des Colombettes  
casse postale 18  
CH-1211 GENEVE 20  
Suisse

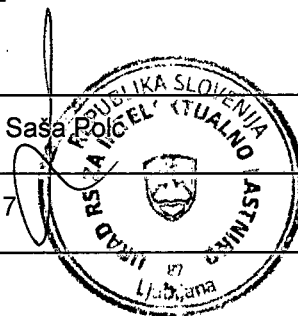
Ref.: 31212-645/2017-3  
105SP(434)  
Date: 18.10.2017

**MADRID PROTOCOL**

**Total Provisional Refusal of Protection (Rule 17(1) of the Common Regulations)**

I.	Office making the notification: <b>Slovenian Intellectual Property Office</b> <b>Kotnikova 6</b> <b>SI-1000 Ljubljana</b> <b>Slovenia</b>
II.	Number of the international registration: 1352138
III.	Name of the holder: HYUNDAI MOTOR COMPANY, 12, Heolleung-ro, Seocho-gu Seoul 06797, KR
IV.	Information concerning the type of provisional refusal:  <i>Please indicate the type of refusal by checking only one of the following options:</i>  <input checked="" type="checkbox"/> <b>Total provisional refusal based on an opposition</b>  <i>Where the refusal is based on an opposition, please indicate the name and address of the opponent:</i>  (i) <b>Name and address of the opponent:</b> SOLARIS IP spolka z ograniczona odpowiedzialnoscia spolka,komandytowa,,ul. Obornicka 46, Bolechowo, Osiedle,62-005 Owinska,PL  (ii) <b>Representative of the opponent:</b> Patentna pisarna d.o.o.,Čopova 14,p.p. 1725,Slovenija
V.	Information concerning the scope of the provisional refusal:  <b>Total provisional refusal affects all the goods and/or services.</b>

VI.	Grounds for refusal: 44 (1) b
VII.	Information relating to an earlier mark:  (i) Filing or registration number: EUTM 009038696  (i) Reproduction of the mark: see attached additional information
VIII.	Information relating to the possibility to request a review or file an appeal:  (i) Time limit for requesting review or appeal:  The holder of the registration may request a review of the provisional refusal. The Slovenian Office must receive the request no later than 3 months * from the date of this provisional refusal (the time limit starts from the date indicated under point X). After a period the Office will issuing its final decision.  *with the written request the deadline may be extended for 3 months  (i) Authority to which such request for review or appeal should be made:  Office indicated under I  (ii) Whether the request for review or appeal has to be filed in a specific language and/or through the intermediary of a representative whose address is within the territory of the Contracting Party:  The request for the review must be filed through the intermediary of a representative domiciled in Slovenia. The list of trademark agents is available on <a href="http://www.uil-sipo.si/sipo/addition/resources/patent-and-trademark-agents/">http://www.uil-sipo.si/sipo/addition/resources/patent-and-trademark-agents/</a>
IX.	Signature or official seal of the Office making the notification: Saša Polj
X.	Date of the notification to the International Bureau: 18.10.2017
XII.	Corresponding essential provisions of the applicable law:  Article 44  Relative grounds for refusal  (1) Further, a sign shall not be eligible for registration as a mark if: (a) it is identical with an earlier mark of another owner, and the goods or services for which the registration is applied for are identical with the goods or services for which the earlier mark is registered; (b) because of its identity with or similarity to the earlier mark of another owner and the identity or similarity of the goods or services covered by the sign and the mark there exist the likelihood of confusion on the part of the public, which includes the likelihood of association with the earlier mark; (c) because of its identity with or similarity to an earlier mark of another owner, registered for goods or services which are not identical with or similar to the goods or services for which the registration has been applied for, the use without due cause of such sign would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier mark, or if it would indicate a connection between the goods or services and the



owner of the earlier mark, and provided that the interests of the owner of the earlier mark are likely to be damaged by such use;

(d) it is identical with or similar to a mark or unregistered sign, which is in the Republic of Slovenia a well-known mark within the meaning of Article 6bis of the Paris Convention or Article 16(3) of the TRIPS Agreement;

(e) the owner of the mark registered in any Member State of the Union established under the Paris Convention, hereinafter referred to as "the Paris Union", or the World Trade Organisation, hereinafter referred to as "the WTO", proves that his agent or representative applied, without the owner's consent, for the registration of the sign in his own name;

(f) its use would contradict an earlier right to a name, personal portrayal, plant variety, geographical indication or other industrial property right, or an earlier copyright, unless the owner of the earlier right gives his express consent to the registration of such sign.

(2) "Earlier mark" within the meaning of paragraph (1) means:

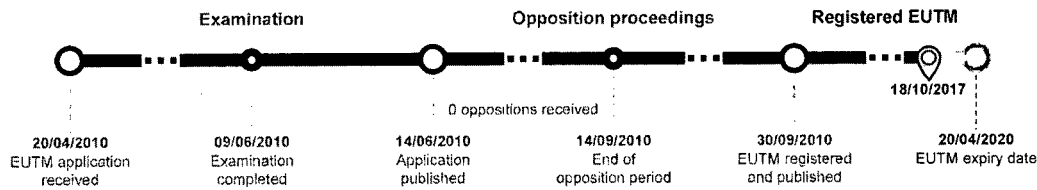
(a) mark which was applied for or registered in the Republic of Slovenia on the basis of a national application before the date of filing of the application for the later mark or, if priority is claimed, the date of priority;

(b) mark for which the protection was sought in the Republic of Slovenia on the basis of an international application before the date of filing of the application for the later mark or, if priority is claimed, the date of priority.

## EUTM file information

**SOLARIS**  
**009038696**

### Timeline



### Trade mark information

Name	<b>SOLARIS</b>	Filing date	<b>20/04/2010</b>
Filing number	<b>009038696</b>	Registration date	<b>27/09/2010</b>
Basis	<b>EUTM</b>	Expiry date	<b>20/04/2020</b>
Date of receipt	<b>20/04/2010</b>	Designation date	
Type	<b>Word</b>	Filing language	<b>Polish</b>
Nature	<b>Individual</b>	Second language	<b>English</b>
Nice classes	<b>12, 37 ( Nice Classification )</b>	Application reference	<b>Pbx/445/10</b>
Vienna Classification		Trade mark status	<b>Registered</b>
		Acquired distinctiveness	<b>No</b>

### Goods and services

English (en) ▾

**12** Motor buses, motor coaches, vehicles for locomotion by land, spare parts for motor buses, motor coaches and vehicles for locomotion by land, not included in other classes.

**37** Vehicle repair, vehicle maintenance.

### Description

No data

### Owners

#### SOLARIS IP spółka z ograniczoną odpowiedzialnością spółka komandytowa

ID	<b>762297</b>	Country	<b>PL - Poland</b>	Correspondence address	
Organisation	<b>SOLARIS IP spółka z ograniczoną odpowiedzialnością</b>	State/county	<b>n/a</b>	SOLARIS IP spółka z ograniczoną odpowiedzialnością spółka komandytowa	Can be accessed and changed by authorised user via the User Area
		Town	<b>Owińska</b>		
		Post code	<b>62-005</b>		

Legal status	<b>spółka komandytowa</b> <b>Legal entity</b>	Address	<b>ul. Obornicka 46, Bolechowo Osiedle</b>	ul. Obornicka 46, Bolechowo Osiedle 62-005 Owińska POLONIA	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

### KANCELARIA PATENTOWA PATENTBOX ROMUALD SUSZCZEWICZ

ID	<b>27983</b>	Country	<b>PL - Poland</b>	Correspondence address	
Organisation	<b>n/a</b>	State/county	<b>n/a</b>	KANCELARIA PATENTOWA PATENTBOX ROMUALD SUSZCZEWICZ	00 48-618529911
Legal status	<b>Legal person</b>	Town	<b>Poznań</b>	ul. Piekary 6/17	00 48-618517387
Type	<b>Association</b>	Post code	<b>61-823</b>	61-823 Poznań POLONIA	kancelaria@patentbox.pl
		Address	<b>ul. Piekary 6/17</b>		

## Correspondence

	From	Procedure	Filing number	Subject	Date	Actions
		Recordal	012803022	Right in Rem Creation - Communication to non applicant (C.5.1)	29/05/2017	
		Recordal	012803022	Rights in Rem Creation - Notification of entry (C.5.1.)	29/05/2017	
		Recordal	012803022	Application form and attachment	22/05/2017	
		EUTM	009038696	Surveillance letter	23/02/2017	
		Recordal	011273532	T722M - Registration of recordal C.1.3 / B.2.2	10/08/2016	
		Recordal	011273532	Letter to the EUIPO	05/08/2016	
		Recordal	010957366	Transfers - entry on the register.	24/05/2016	
		Recordal	010957366	Transfers - deficiency/rejection.	23/05/2016	
		Recordal	010957366	Letter to the EUIPO	23/05/2016	
		Recordal	010957366	Application form and attachment	19/05/2016	
Showing 1 to 10 of 30 entries						

## IR transformation

No data

## Seniority

No data

## Exhibition priority

No data

## Priority

No data

## Publications

Bulletin number	Date	Section	Description
2010/107	14/06/2010	A.1	Applications published under article 40 EUTMR
2010/184	30/09/2010	B.1	Registrations with no amendments since the application was published
2010/209	08/11/2010	C.2.1	Representative - Change of name and professional address
2012/081	30/04/2012	C.2.1	Representative - Change of name and professional address
2016/018	28/01/2016	C.1.1	Proprietor - Total transfers
2016/096	26/05/2016	C.1.1	Proprietor - Total transfers
2016/148	09/08/2016	C.1.3	Proprietor - Change of name and address
2017/101	31/05/2017	C.5.1	Creation of rights in rem
Showing 1 to 8 of 8 entries			

## Cancellation

No data

## Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2010/209	08/11/2010	C.2.1	005174969	Representative	Change of name and professional address
2012/081	30/04/2012	C.2.1	006447596	Representative	Change of name and professional address
2016/018	28/01/2016	C.1.1	010501156	Proprietor	Total transfers
2016/096	26/05/2016	C.1.1	010957366	Proprietor	Total transfers
2016/148	09/08/2016	C.1.3	011273532	Proprietor	Change of name and address
2017/101	31/05/2017	C.5.1	012803022	Rights <i>in rem</i>	Creation of rights in rem
Showing 1 to 6 of 6 entries					

## Oppositions

No data

## Appeals

No data

## Decisions

No data

## Renewals

No data

## Trade mark relations

No data