

**ARRANGEMENT DE MADRID
CONCERNANT L'ENREGISTREMENT INTERNATIONAL DES MARQUES
ET PROTOCOLE RELATIF À CET ARRANGEMENT**

REFUS PROVISOIRE

notifiée au Bureau international de l'Organisation Mondiale de la Propriété Intellectuelle (OMPI)
selon l'article 5 de l'Arrangement de Madrid et du Protocole de Madrid

I. Office qui notifie le refus OFFICE DES BREVETS DE LA REPUBLIQUE DE LETTONIE Citadeles iela 7/70 LV 1010, Rīga LETONIE		Téléphone 371 67099605 Télécopie 371 67099650
II. N° de l'enregistrement international faisant l'objet du refus		1 382 321
III. Nom du titulaire de l'enregistrement international faisant l'objet du refus AQUA CRISTAL SLOVAKIA, s.r.o. Pod Rybou 5 SK-974 01 Banská Bystrica (SK)		
IV. Motifs du refus CHAMPAGNE LOUIS ROEDERER (CLR), 21 boulevard Lundy, F-51100 Reims France titulaire d'enregistrements internationaux /CRISTAL WO 451185/, /CRISTAL WO 669394/ et d'enregistrement européen /CRISTAL MUE 008513913/ s'oppose à l'enregistrement de la marque.		
V. Dispositions de la loi nationale applicables en la matière (voir feuille supplémentaire) ARTICLE 18, 39 (5) ; L'opposition est basée sur l'article 7(1)2 ; 39³		
VI. ☒ Refus pour la totalité des produits et services ☐ Refus pour les produits suivants *		
VII. Possibilités de réclamations et de recours Le titulaire de la marque a le droit de présenter ses objections contre le présent refus auprès de l'Office des brevets de Lettonie dans le délai de 3 mois à compter de la date de la notification de Bureau International. Le recours doit être présenté par l'intermédiaire d'un mandataire local . (Loi sur les marques et les indications géographiques, Article 17. ¹ ; Loi des institutions et procédures de propriété industrielle, Article 58). Après l'expiration du délai imparti, la Commission de recours prendra la décision sur l'acceptation de l'opposition ou de son rejet. L'affaire peut- être réexaminée auprès de Tribunal de Riga-ville (quartier Vidzeme) dans le délai de 3 mois compté de la notification de la décision de Commission de recours.		
VIII. Date à laquelle le refus a été prononcé		03.05.2018
IX. Signature ou sceau officiel de l'Office qui notifie le refus Dz. Medne 		

* Si l'espace disponible est insuffisant, veuillez utiliser une feuille supplémentaire.

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

[..]

(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.

[21 October 2004][19 November 2015]

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]

Article 39³: Additional Regulations for Protection of a Community Trademark

(1) An opposition to a trademark registration (Article 18) and a claim on the invalidation of a trademark registration (Article 31) apart from the rights referred to in Article 7, Article 8 and Article 9 of this Law can also be based upon an earlier identical or similar Community trademark that enjoys a good reputation in the European Community and that is registered in relation to the goods or services which are not similar to the goods and services for which the later (opposed) trademark is registered, but provided that the use of the later trademark, in the absence of appropriate justification, in relation to the goods or services enables to unfairly use the distinctive character or the reputation of the Community trademark or to injure them, or the consumers can perceive the use of such later trademark as an indication to the relation between those goods or services and the owner of the aforementioned Community trademark and such use could be detrimental to the interests of the owner of the Community trademark. Such opposition and such claim may be submitted by the owner of the Community trademark (their successor in title) or his representative.

(2) Unless stated otherwise in the Council Regulation No 40/94, the provisions of Articles 27 and 28 of this Law and the relevant regulations of the Civil Procedure Law and other statutory enactments shall be applied in the case of unlawful use of a Community trademark.

(3) If basing upon rights that follow from the Community trademark registration a later trademark registration that has been made pursuant to the trademark registration procedure prescribed by this Law or in accordance with the regulations on international registration and refers to Latvia is opposed, or if the use of such a later trademark is opposed, the provisions of Article 29 of this Law on restrictions of rights as a result of acquiescence shall be applied.

WIPO

WORLD INTELLECTUAL PROPERTY ORGANIZATION

International Trademark

WIPO | MADRID[HTML](#) [PDF](#) [XML](#)

Printed: 2018-05-02 09:05

451185- CRISTAL[Full details](#)[Multilingual](#)**Current Status**

- 151 Date of the registration**
29.01.1980
- 180 Expected expiration date of the registration/renewal**
29.01.2020
- 270 Language of the application**
French
- 732 Name and address of the holder of the registration**
CHAMPAGNE LOUIS ROEDERER (CLR)
21 boulevard Lundy
F-51100 REIMS (FR)
- 811 Contracting State of which the holder is a national**
FR
- 740 Name and address of the representative**
ERNEST GUTMANN - YVES PLASSERAUD SAS
3 rue Auber
F-75009 PARIS (FR)
- 770 Name and address of the previous holder**
CHAMPAGNE LOUIS ROEDERER, Société anonyme
21, boulevard Lundy,
REIMS (FR)
- 540 Mark**
CRISTAL
- 511 International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification)**
33 Vins de provenance française, à savoir champagne, vins mousseux.
- 821 Basic application**
FR, 27.11.1979, 535 452
- 822 Basic registration**
FR, 27.11.1979, 1 114 613
- 300 Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin**
FR, 27.11.1979, 1 114 613
- 834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies**
AT - BA - BX - CH - HR - HU - IT - LV - ME - MK - PT - RS - SI

Transaction History**EXPAND**

LV

Contracting Parties above which have issued the document:

Subsequent designation : 1996/2 LMi, 23.04.1996, LV

- 450 Publication number and date**
1996/2 LMi, 23.04.1996
- 831 Designation(s) under the Madrid Agreement**
LV
- 580 Date of recording (date of notification from which the time limit to notify the refusal starts)**
18.03.1996
- 891 Date of subsequent designation (Rule 24(6) of the Common Regulations)**
19.02.1996
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)
- LV

Renewal : 2000/3 Gaz, 16.03.2000

450 Publication number and date

2000/3 Gaz, 16.03.2000

831 Designation(s) under the Madrid Agreement

AT - BA - BX - CH - HR - HU - IT - LV - MK - PT - SI - YU

Renewal : 2010/5 Gaz, 25.02.2010

450 Publication number and date

2010/5 Gaz, 25.02.2010

834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies

AT - BA - BX - CH - HR - HU - IT - LV - ME - MK - PT - RS - SI

International Trademark

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Search

*International Trademark***WIPO | MADRID**Alert me when document is updated [HTML](#) [PDF](#) [XML](#)

Printed: 2018-05-02 13:14

669394- CRISTAL

Full details

Current Status

Multilingual

- 151 Date of the registration**
05.03.1997
- 180 Expected expiration date of the registration/renewal**
05.03.2027
- 270 Language of the application**
French
- 732 Name and address of the holder of the registration**
CHAMPAGNE LOUIS ROEDERER (CLR)
21 boulevard Lundy
F-51100 REIMS (FR)
- 812 Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment**
FR
- 842 Legal nature of the holder (legal entity) and State, and, where applicable, territory within that State where the legal entity is organized**
Société anonyme
- 740 Name and address of the representative**
ERNEST GUTMANN - YVES PLASSERAUD SAS
3 rue Auber
F-75009 PARIS (FR)
- 770 Name and address of the previous holder**
CHAMPAGNE LOUIS ROEDERER (société anonyme)
21 Boulevard Lundy,
REIMS (FR)
- 540 Mark**
CRISTAL
- 511 International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(7)**

33 Alcoholic beverages (except beer), namely wine, sparkling wine, champagne.
- 822 Basic registration**
FR, 20.12.1991, 1713576
- 832 Designation(s) under the Madrid Protocol**
BH - FI - OM - SE - SG - UZ
- 834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies**
AL - AM - AT - AZ - BA - BG - BX - CH - CN - CU - CZ - DZ - EG - HR - HU - IT - KP - LI - LR - LV - MA - MC - MK - MN - PT - RO - SD - SI - SK - SM - TJ - UA - VN
- 527 Indications regarding use requirements**
SG

Transaction History



Contracting Parties above which have issued the document:

Registration : 1997/5 Gaz, 24.04.1997, AL, AM, AT, AZ, BA, BG, BX, BY, CH, CN, CU, CZ, DE, DZ, EG, ES, HR, HU, IT, KG, KP, KZ, LI, LR, LV, MA, MC, MD, MK, MN, PL, PT, RO, RU, SD, SI, SK, SM, TJ, UA, UZ, VN, YU

450 Publication number and date

1997/5 Gaz, 24.04.1997

831 Designation(s) under the Madrid Agreement

AL - AM - AT - AZ - BA - BG - BX - BY - CH - CN - CU - CZ - DE - DZ - EG - ES - HR - HU - IT - KG - KP - KZ - LI - LR - LV - MA - MC - MD - MK - MN - PL - PT - RO - RU - SD - SI - SK - SM - TJ - UA - UZ - VN - YU

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

03.04.1997

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

AL - AT - AZ - BA - BG - BX - CH - CN - DZ - EG - HR - HU - IT - KP - LI - LR - LV - MA - MC - MK - MN - PT - RO - SD - SI - SK - SM - TJ - UA - UZ - VN

Renewal : 2007/15 Gaz, 17.05.2007

450 Publication number and date

2007/15 Gaz, 17.05.2007

831 Designation(s) under the Madrid Agreement

AL - AM - AT - AZ - BA - BG - BX - CH - CN - CU - CZ - DZ - EG - HR - HU - IT - KP - LI - LR - LV - MA - MC - MK - MN - PT - RO - RU - SD - SI - SK - SM - TJ - UA - UZ - VN

832 Designation(s) under the Madrid Protocol

SE

Renewal : 2017/10 Gaz, 23.03.2017

450 Publication number and date

2017/10 Gaz, 23.03.2017

832 Designation(s) under the Madrid Protocol

BH - FI - OM - SE - SG - UZ

834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies

AL - AM - AT - AZ - BA - BG - BX - CH - CN - CU - CZ - DZ - EG - HR - HU - IT - KP - LI - LR - LV - MA - MC - MK - MN - PT - RO - SD - SI - SK - SM - TJ - UA - VN

527 Indications regarding use requirements

SG

International Trademark

WIPO | MADRID

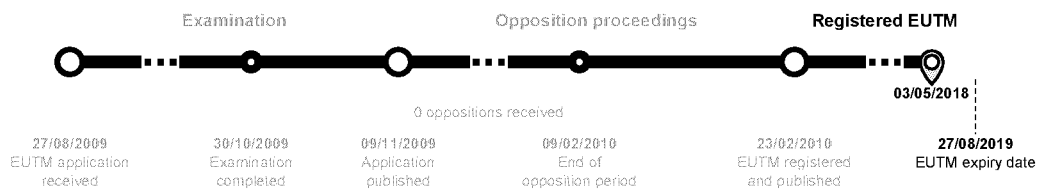


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EUTM file information

CRISTAL
008513913

Timeline



Trade mark information

Name	CRISTAL	Filing date	27/08/2009
Filing number	008513913	Registration date	22/02/2010
Basis	EUTM	Expiry date	27/08/2019
Date of receipt	27/08/2009	Designation date	
Type	Word	Filing language	French
Nature	Individual	Second language	English
Nice classes	33 (Nice Classification)	Application reference	CPE-M0647MC
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en) ☒

33 Wines; sparkling wines; wines of French origin, namely wine with the registered designation of origin Champagne.

Description

No data

Owners

CHAMPAGNE LOUIS ROEDERER (CLR)

ID	38618	Country	FR - France	Correspondence address	Can be accessed and changed by authorised user via the User Area
Organisation	CHAMPAGNE LOUIS ROEDERER (CLR)	State/county	n/a	CHAMPAGNE LOUIS ROEDERER (CLR)	
		Town	Reims	21, boulevard Lundy	
		Post code	51100	F-51100 Reims	
Legal status	Legal entity	Address	21, boulevard Lundy	FRANCIA	

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

ERNEST GUTMANN - YVES PLASSERAUD S.A.S.

ID	13142	Country	FR - France	Correspondence address	
Organisation	n/a	State/county	n/a	ERNEST GUTMANN - YVES PLASSERAUD S.A.S.	00 33-144511800
Legal status	Legal person	Town	Paris	3, rue Auber	00 33-142660890
Type	Association	Post code	75009	F-75009 Paris	
		Address	3, rue Auber	FRANCIA	euipo@egyp.com

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	014195740	C.1.3. Owner - change of name & address - entry on the register M - automatic template	25/04/2018	
	Recordal	014195740	Application form and attachment	18/04/2018	
	EUTM	008513913	Surveillance letter	16/02/2018	
	EUTM	008513913	Surveillance letter	30/06/2016	
	EUTM	008513913	Surveillance letter	16/01/2015	
	EUTM	008513913	Surveillance letter	18/12/2014	
	EUTM	008513913	Miscellaneous	18/12/2014	
	EUTM	008513913	Surveillance letter	05/08/2013	
	EUTM	008513913	Surveillance letter	25/07/2013	
	EUTM	008513913	Surveillance letter	18/04/2012	

Showing 1 to 10 of 24 entries

IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

No data

Publications

Bulletin number	Date	Section	Description
2009/043	09/11/2009	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2010/035	23/02/2010	B.1	Registrations with no amendments since the application was published
2018/080	27/04/2018	C.1.3	Proprietor - Change of name and address

Showing 1 to 3 of 3 entries

Cancellation

No data

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2018/080	27/04/2018	C.1.3	014195740	Proprietor	Change of name and address

Showing 1 to 1 of 1 entries

Oppositions

No data

Appeals

No data

Decisions

No data

Renewals

No data

Trade mark relations

No data