



World Intellectual Property
Organisation (WIPO)
International Bureau
34, Chemin des Colombettes
1211 Geneva 20
Switzerland

Your Reference:
International Registration No:
WO0000001401261
Examiner: Melanie Oliver
Direct Telephone: +44(0)1633814241
Date: 20 June 2018

Please reply by **20 August 2018** quoting the International Registration number

Dear Sir/Madam,

Intl Reg No: WO0000001401261
Mark: M.A.I.C.A.
Holder: M.A.I.C.A. S.R.L.
Class: 7

Notification of a Provisional Partial Refusal of Protection (not based on an opposition) by the Intellectual Property Office

I have examined your designation under the Trade Marks Act 1994 and carried out a search of the relevant trade mark registers. Your designation does not appear to meet the requirements for Protection for the following reasons.

Absolute grounds for refusal

Specification too wide

The list of goods are so wide that there is some doubt that the mark is being used, or intended to be used on all the goods applied for. There is therefore an objection under Section 1(1) and 3(1)(a) of the Act which relates to the following term:

Class 7

Machines

To overcome this objection, you should list the goods by name and/or restrict them. Alternatively, you should supply information to show that the list of goods accurately describes the range of goods that you are using the mark on, or that you intend to use the mark on.

Search for earlier trademarks – for your information only

I have searched the relevant trade mark registers and found earlier trade marks that I think you should be aware of. My initial view is that your trade mark and your goods and services are similar to the earlier trade marks and their goods

and services. Therefore the public are likely to confuse your trade mark with the earlier trade marks.

The earlier trade marks I found are listed at the end of this report.

I am not refusing to accept your designation because of the earlier trade marks. Should you decide to proceed with your designation we do not notify holders of European Union Trade Marks (EUTM) or International Registrations (EU), which also have protection in the UK; these are for your information only

If you proceed, your designation will be published in the online Trade Marks Journal and anyone can oppose your designation should they have grounds to do so. If such action were to be successful, this would likely result in a costs award against you. Further information can be found on our website:

ipo.gov.uk/tmoppose

Next steps

If you disagree with my assessment of your designation, you can write or telephone me. My contact details are shown at the top of this letter.

If following this discussion, you still disagree with my findings you have the right to request a hearing with a senior officer to argue against the absolute grounds issues raised. You cannot request a hearing in respect of the earlier trademarks as these are not formal objections.

If your address is outside of the European Community, the Isle of Man or the European Economic Area you must provide us with a contact address in one of the above areas. This can be done by filling in and returning a Form TM33 "Appointment of change of Representative (for trade mark owners or holders)". This form is available at:

ipo.gov.uk/tmforms

If you do not reply by the date shown above, I will publish it in our online Trade Marks Journal, but only for:

Class 7 for a specification of:

Machines for use in the clothing industry; shirt factory machines; sewing machines; fusing machines; folding machines; collar turning machines; points shearing machines; cuffs-sewing machines; hemming machines; pocket hemming machines; ironing machines; buttonhole sewing machines for use in the shirt factory; parts, accessories and containers for the aforesaid goods.

The provisional refusal of all other goods will then become final.

Yours faithfully

Melanie Oliver

Trade Marks Registry

Earlier Marks

1) Earlier Mark:

Trade Mark ID: EU016979999

Domain: EUTM

Mark Representation



Filing Date/Date of Designation: 13/07/2017

Goods & Services

Class: 7

Sewing machines; Ironing machines; Pedal drives for sewing machines; Machines for the textile industry; Stitching machines; Cloth cutting machines; Rotary steam presses, portable, for fabrics; Pressing machines; Buttonholing machines; Bonding machines; Cutting machines; Scissors, electric; Leather-working machines; Laundry folding machines; Engraving machines.

Owner/Holder Details

Name: JACK SEWING MACHINE CO., LTD.

Address: NO. 15, AIRPORT SOUTH ROAD, JIAOJIANG DISTRICT

Town: TAIZHOU CITY, ZHEJIANG PROVINCE

Country: CN

Representative Details

Name: DOMINGO GALLETERO COMPANY

Address: CALLE PEREZ MEDINA, Nº 23, ENTLO. DCHA

Town: ALICANTE

Postcode: 03007

Country: ES

2) Earlier Mark:

Trade Mark ID: EU002040400

Domain: EUTM

Mark Representation



Filing Date/Date of Designation: 13/01/2001

Goods & Services

Class: 7

Cutting and grinding machines for the meat industry; meat mincers (machines).

Class: 8

Cleavers and saws (hand tools), stropping instruments; mincing knives, fleshing knives (hand tools).

Owner/Holder Details

Name: EQUIPAMIENTOS CÁRNICOS, S.L.

Address: C/ Jaume Ferran, 1 Poligono Industrial Coll De La Manyà

Town: Granollers

Postcode: 08400

Country: ES

Representative Details

Name: R. VOLART PONS Y CIA., S.L.

Address: Pau Claris, 77, 2º, 1ª

Town: Barcelona

Postcode: 08010

Country: ES