



**OIFIG NA bPAITINNÍ
PATENTS OFFICE**

Oifigí 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: 20 June 2018
(By registered Mail)

International Registration No: 1387991

Mark: LUX

**Holder: GUANGZHOU DARING INTERNATIONAL FORWARDING CO., LTD. of
China**

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:004355558

Mark:LUX LUX

Proprietor:Emil Lux GmbH & Co. KG

Emil-Lux-Str. 1

42929 Wermelskirchen

Germany

Date of Application:22/03/2005

Date of Registration:17/11/2008

Class 1 : Tempering and soldering preparations, adhesives used in industry,

cartridges for hot melt guns.

Class 3 : Abrasives, sandpaper.

Class 4 : Industrial oils and greases; lubricants.

Class 6 : Ironmongery and small items of hardware of common metals and metal alloys, in particular nails, pins, screws, washers, nuts, rivets, clamps, hooks, eyelets, plugs; non-electric cables and wires of common metal; wire ropes, chains of metal and accessories therefor, included in class 6; cable clips of metal; padlocks; workshop equipment, included in class 6, including tool cabinets, small parts storage boxes, open storage boxes, sorting boxes, tool holders, machine tables, tool stands, workbenches (the aforesaid goods of metal); tool chests and toolboxes (empty) of metal; handles of metal for tools and garden implements; carry straps of metal; load and transport rollers, rollers and wheels, included in class 6; oil cans, hoppers, special-purpose containers, included in class 6 (the aforesaid goods of metal); marker aids, in particular shut-off and warning bands, posts for fixing the aforesaid goods.

Class 7 : Machines and machine tools; and accessories and spare parts therefor, included in class 7; machines for tile laying, gas concrete and dry mortarless construction, stone, screed and concrete works, electrical and sanitary installation services, masonry services, parquet floor, laminate and carpet laying, plastering; electric tools for construction and DIY, including tool bits therefor; cordless screwdrivers, chainsaws, grinders, polishers; hammer drills, drilling machines, power planers, tile-cutting machines, compressors, small electric tools, electric staplers, electric milling cutters; mechanical garden implements, including lawnmowers and grass-trimming machines; straw cutters, hedge trimmers and chainsaws, and accessories for mechanical garden implements, namely collecting devices and apparatus covers; spare parts for mechanical garden tools, included in class 7; driving machines for tools; mobile generators; hot melt guns; soldering and welding apparatus (gas-powered), electric welding machines; compressed air tools.

Class 8 : Hand tools and implements (hand-operated), and accessories therefor, included in class 8, hand tools for tile laying, gas concrete and dry mortarless construction, stone, screed and concrete works, electrical and sanitary installation services, masonry services, parquet floor, laminate and carpet laying, plastering; hand tools, including cutting, separating, embossing and impact tools, in particular hatchets, axes, drills, files, rasps, thread cutters, hammers, planers, clips, trowels, spatulas, chisels, saws, spanners, screwdrivers, socket wrenches and sockets for wrenches, vices, tongs, tool holders, hand-operated gripping and carrying apparatus, including stone-carrying apparatus, sanding blocks, clamps, riveting pincers, eyelet punches, hand tackers and clamps and nails therefor; hand-operated tile-cutting apparatus, knives, in particular pocket knives, cutter lames, glass cutters, carpet knives, blades, cutters; scissors, including household scissors, secateurs, branch, tree and hedge clippers, hand-operated garden implements, including forks, hoes, spades, shovels, rakes, sickles, scythes, trimmers and hand-operated lawnmowers; snow shovels; hand-operated vaporisers; hand-operated pneumatic apparatus.

Class 9 : Meters and measuring tools; tape measures, rules, rulers, plumb bobs, angles, protractors, compasses, floats and browning rods, browning rods with spirit levels, spirit levels, including using laser technology, measuring gauges, vernier calipers; electrical gauges; scribing apparatus; thermometers; metal detectors; material for electricity mains (cables, wires), electrical installation material; soldering apparatus and welding apparatus

(electric); clothing for protection against accidents and safety wear, included in class 9, goggles, protective masks, dust masks, filters for protective masks, hearing protectors, included in class 9, work gloves and protective gloves, included in class 9, protective helmets, knee pads, accessories in the field of welding safety, namely protective clothing, gloves, aprons, sleeves, protective face masks, protective face shields, welding goggles; safety belts and fastening belts, except for vehicle seats, included in class 9.

Class 11 : Sanitary installation material; water sprinklers, showers and sprinklers.

Class 12 : Load and transport rollers, rollers and wheels, included in class 12; Hose carts.

Class 16 : Painting and wallpapering tools, included in class 16, including paint brushes, special-purpose paint brushes, brushes, rollers, wipers, painting tools for macerating, stamping, stencilling, wiping and speckling; paint trays and stripping frames, spatulas and scrapers; lining paper for protection against paint splashes and dirt; marking aids, in particular chalk and holders, carpenters' pencils, rulers; adhesives and adhesive tapes for stationery and household purposes; artists' materials.

Class 17 : Foils of plastic (other than for packaging); adhesive tapes for craft purposes, double-sided adhesive tape for carpet laying, adhesive tape being insulating material; cords of rubber; insulating gloves; gaskets; packing, stopping and insulating materials, included in class 17; hoses, garden hoses, and couplings and junctions therefor, included in class 17.

Class 18 : Tool bags, tool aprons and toolboxes (empty) of leather and imitations of leather.

Class 20 : Workshop equipment, included in class 20, including tool cabinets, small parts storage boxes, open storage boxes, sorting boxes, tool holders, machine tables, tool stands, workbenches (the aforesaid goods not of metal); paste tables, clamping tables; tool bags, tool chests and toolboxes (empty), not of metal, not of leather; handles for tools and garden implements, not of metal; load and transport rollers, rollers and wheels, included in class 20; plastic chains, rope and chain clamps, bolts, plugs, screws, nuts, washers, hooks, rivets (the aforesaid goods all not of metal); transport pallets; special-purpose containers, not of masonry, not of metal, included in class 20.

Class 21 : Gloves for household and cleaning purposes, gardening gloves; articles for cleaning purposes; scrubbers, wipers; sponges; brushes (except paint brushes), brooms, hand brushes, broom sets; steel wool for cleaning; funnels; buckets; extensions and telescopic rods for handles; clotheslines; traps; plant pots, plant and flower holders (included in class 21); towel and soap holders.

Class 22 : Ropes and accessories therefor, included in class 22, nets; string, cords; tarpaulins; carry straps, not of metal.

Class 24 : Non-woven textile fabrics.

Class 25 : Workclothes, included in class 25, gloves and work gloves, included in class 25.

Class 26 : Velcro.

Registered European Union Trade Mark No:006374987

Mark:LUX ORTA EST EIS

Proprietor:Alfred Ritter

Kettenbrückengasse 8/11
1040 Wien

Austria

Date of Application:17/10/2007

Date of Registration:11/07/2008

Class 20 : Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.

Class 25 : Clothing, footwear, headgear.

Class 42 : Scientific and technological services and research and design relating thereto.

Registered European Union Trade Mark No:006919492

Mark:LUX GAL

Proprietor:PRECIOUS FORMALS INC

451 Landing Blvd.

League City 77573

United States of America

Date of Application:17/05/2008

Date of Registration:20/05/2009

Class 25 : Clothing, namely ladies high fashion evening wear, dresses, shoes, wraps, skirts.

Registered European Union Trade Mark No:007374309

Mark:A-LUX

Proprietor:Arlen Devries

174 Cedardale Ave.

Stoney Creek L8E1R1

Canada

Date of Application:06/11/2008

Date of Registration:16/06/2009

Priority Date: 31/10/2008

Class 24 : Textiles and textile goods, not included in other classes; bed and table covers.

Class 25 : Clothing, footwear, headgear.

Registered European Union Trade Mark No:007465792

Mark:LUX-LOCATOR

Proprietor:Kimberley Robson-Ortiz

10 Connaught Square

London W2 2HG

United Kingdom

Date of Application:15/12/2008

Date of Registration:21/07/2009

Class 9 : Location signalling apparatus and instruments; apparatus and

instruments for measuring and recording location; tracking and homing instruments and apparatus; transmitters and receivers; telecommunication apparatus; software and data processing apparatus.

Class 14 : Jewellery, costume jewellery, precious stones; horological and chronometric instruments, clocks and watches.

Class 18 : Leather and imitations of leather; animal skins, hides; trunks and travelling bags; handbags, rucksacks, purses; umbrellas, parasols and walking sticks, harness and saddlery.

Class 25 : Clothing, footwear, headgear.

Class 45 : Security services for the protection of property and individuals; tracing and tracking of personal goods agency services.

Registered European Union Trade Mark No:008886004

Mark:Lux Society

Proprietor:Lux Society società a responsabilità limitata

Via Barletta, 1

71121 Foggia

Italy

Date of Application:16/02/2010

Date of Registration:13/07/2010

Class 25 : Clothing, footwear, headgear; clothing; clothing, footwear, headgear; casual wear; beachwear; business suits; clothing made of imitation leather; leather clothing; maternity clothing; clothing for gymnastics; hunting clothes; sportswear; rainwear; articles of clothing; clothing; motorists' clothing; cyclists' clothing; belts [clothing]; moneybelts (clothing); ear muffs [clothing]; headbands [clothing]; pocket squares (clothing); gloves [clothing]; muffs [clothing]; miters (hats); clothing of imitation leather; leather clothing; cuffs; Wristbands [clothing]; wraps for clothing.

Registered European Union Trade Mark No:011087178

Mark:LUX PREMIUMS

Proprietor:LUX INDUSTRIES LIMITED

39 Kali Krishna Tagore Street

WEST BENGAL, CALCUTTA 700007

India

Date of Application:01/08/2012

Date of Registration:12/12/2012

Class 25 : Garments and undergarments.

Registered European Union Trade Mark No:011147345

Mark:LUX LUX TOOLS

Proprietor:Emil Lux GmbH & Co. KG

Emil-Lux-Str. 1

42929 Wermelskirchen

Germany

Date of Application:29/08/2012

Date of Registration:09/04/2014

Class 1 : Tempering and soldering preparations; Adhesives used in industry.

Class 3 : Cleaning, polishing and abrasive preparations; Abrasive paper.

Class 4 : Industrial oils and greases; Lubricants; Dust absorbing, wetting and binding compositions; Fuels (including motor spirit) and illuminants; Candles and wicks for lighting.

Class 6 : Common metals and their alloys; Materials of metal for railway tracks; Ores; Metal building materials; Transportable buildings of metal; Non-electric cables and wires of common metal; Ironmongery, small items of metal hardware; Pipes and tubes of metal; Goods of metal, included in class 6; Garage doors of metal; Tool chests of metal (empty); Statues of common metal; Safes; Fences of metal; Bird houses of metal; Locks (other than electric) of metal; Padlocks; Chains of metal; Hoppers (non-mechanical) of metal; Ladders of metal, stepladders of metal; Pegs of metal; Wall plugs of metal; Fittings of metal for building; Fittings of metal for windows; Fittings of metal for furniture; Door fittings, of metal; Metal door stops; Tensioning and lashing straps; Rods of metal for brazing and welding; Soldering wire of metal; Posts of metal; Wire rope; Workshop equipment, As far as included in international class 06, Including tool holders (aforesaid goods of metal); Tool boxes of metal (empty); Handles of metal for tools and garden implements; Carry straps of metal; Oil cans, special-purpose containers, included in class 6 (the aforesaid goods being of metal); Posts of metal for attaching marking aids, in particular barrier tapes and warning tapes; Gates of metal; metal window screens; Locksets; Pegs of metal; Wall plugs of metal; Trellis and Espaliers; Clips; Clips and nails for hand tackers; Metal legs for furniture and Aluminium; Metal garage door rollers; Rollers of metal for sliding doors; Furniture casters of metal.

Class 7 : Machines and machine tools, Machine coupling and transmission components (except for land vehicles); Agricultural implements other than hand-operated; Machines and machine tools, Namely colour mixing machines, Building machines, In class 7; Mechanical tools for construction, horticultural and craft purposes, mechanical horticultural and agricultural equipment; Compressors [machines]; Spray guns for paint, Compressed air guns for the extrusion of mastics, Electric glue guns, ELECTRIC POWER STAPLERS; Pistols and pumps for applying paints, mastics and other viscous preparations; Gas-powered soldering irons; Drill chucks (parts of machines), Drilling machines, Electric hand drills, Nut-tapping machines, Drill stands for electric hand drills; Planing machines; Trueing machines, Grinding discs (being a machine part), Cutting discs (parts of machines), Grinding wheels (parts of machines); Saws (machines), Chain saws; Current generators; Welding apparatus, gas-operated; Welding machines, electric; Lawnmowers (machines), Scarifiers (other than hand-operated); Tillers (other than hand-operated); Soil ventilators (other than hand-operated); Snow blowers (other than hand-operated); Snow shovels (other than hand-operated); Snow sweepers (other than hand-operated); Parts for motors and engines, namely spark plugs for internal combustion engines, mufflers for motors and engines (exhausts), petrol and oil filters, filters for cleaning cooling air for motors and engines, cylinders for motors and engines, cylinder heads for motors and engines, pistons for motors and engines, piston rings; Electric roller blind drives, Electric drives for garage doors; Elevators, In particular hoists; Electric arc welding apparatus; Lathes (machine tools); Electric turning machines; Electric straw cutting machines, motorised straw cutting machines;

Grindstones (machine parts); Machines for tile laying, gas concrete and dry construction, stone, screed and concrete works, electrical and sanitary installation, masonry, parquet floor, laminate and carpet laying, plastering, painting, wallpapering and welding; Electric tools for construction and DIY, including tool bits therefor; Cordless screwdrivers, chainsaws, grinders, polishers; Drilling hammers, Electric planers, Tile cutting machines, small electric tools, Electric staplers, Electric milling machines; Mechanical garden implements, including lawnmowers and grass-trimming machines; Border shears and chainsaws, and accessories for mechanical garden equipment, namely collecting devices and apparatus covers; Spare parts for mechanical garden tools, included in class 7; Driving machines for tools; Mobile generators; Soldering and welding machines (gas-operated); Compressed air tools; Lathes (machine-operated); Wood-turning lathes (machine-operated); Pressure spraying devices (machine-operated); Couplings other than for land vehicles; Grinding inserts, grindstones and replacement parts for the aforesaid goods; Rollers and wheels for machines; Soldering irons, electric; Welding apparatus.

Class 8 : Manually operated tools; Hand-operated implements for agricultural, horticultural and forestry purposes, and for structural engineering; Hand-operated vaporisers; Hand-operated guns for applying paints, mastics and other thick fluid products, Guns, hand-operated, for the extrusion of mastics; Spatulas [hand tools]; Cuttlery, cutlery of plastic or metal; Silver plate (cutlery); Snow shovels (hand tools); Ice scrapers; Sharpening stones; Tackers (hand-operated); Hand-operated riveting tools; Trowels; Saws (hand tools); Files [hand tools]; Clamps for carpenters or coopers; Tongs [hand tools]; Screwdrivers; Wrenches (hand tools); Hammers (hand tools); Axes; Lawn clippers (hand instruments); Border shears; Planes; Stationery scissors; Riveting pincers; Scraping tools (hand tools); Hand tools for tile laying, gas concrete and dry mortarless construction, stone, screed and concrete works, electrical and sanitary installation, masonry, parquet floor, laminate and carpet laying, plastering; Painting and welding; Hand tools, including cutting, separating, embossing and striking tools, in particular Japanese chisels, borers, rasps, thread cutters, planes, trowels, chisels, screwdrivers, socket wrenches and socket wrench sets, vices, pliers, tool holders, hand-operated grippers and carrying equipment, including stone-carrying equipment, sanding blocks, ferrules of metal, hand riveters, eyelet pliers; Hand-operated tile-cutting apparatus, knives, in particular pocket knives, cutter blades, glass cutters, carpet knives, blades, cutters; Scissors, including household scissors, secateurs, branch, tree and hedge clippers, hand-operated garden implements, including forks, hoes, spades, shovels, rakes, sickles, scythes, trimmers and hand-operated lawnmowers; Hand-operated vaporisers; Hand-operated pneumatic apparatus; Spare parts for the aforesaid goods; electric flat irons.

Class 9 : Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; Apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; Apparatus for recording, transmission or reproduction of sound or images; Fire-extinguishing apparatus; Electric installation material (included in class 9), Namely electric cables and Electrical wire; Material for electricity mains (wires, cables); Lustre terminals; Plugs, sockets and other contacts [electric connections]; Covers for electric outlets; Cable ducts; Volt meters;

Electric welding apparatus; Welding electrode; Solderers' helmets; Electronic control systems for shutters, Time switches, automatic; Electronic monitoring and measuring apparatus, electronic security systems, namely motion detectors, gas, smoke and carbon monoxide alarms, radio transmitters and receivers for controlling light, electric burglar alarm installations, bells (alarm installations), door phones, telephone apparatus; Portable telephones; Answering machines; Vehicle radios, Compact disc players (CDP), Aerials and aerial accessories (included in class 09); Satellite receiving apparatus and aerials, optical data media, video cassettes; Bicycle computers; Solar energy collectors for electricity generation; Electric batteries, battery charging equipment; Measuring apparatus; Measuring tools; Thermostats; Thermometers (not for medical purposes); Scales; Signs, luminous; Work protection clothing (included in class 9); Protective helmets, protective sports helmets, Arm, knee and wrist guards (work safety); Gloves for protection against accidents; Locks, electric; Gloves for protection; Protective goggles and masks; Safety belts and fastening belts, except for vehicle seats, included in class 9; Voltage detectors; Intercommunication systems; Marking aids, in particular barrier tapes and warning tapes

Class 10 : Hearing protectors.

Class 11 : Apparatus for lighting heating steam generating cooking refrigerating drying ventilating water supply and sanitary purposes; Sanitary apparatus.

Class 12 : Vehicles; Apparatus for locomotion by land, air or water; Load and transport rollers; Rollers and Wheels for vehicles; Hose carts; Rollers and Wheels for barrows and Sack-barrows.

Class 16 : Paper, cardboard and goods made from these materials (included in class 16); Printed matter; Bookbinding material; Photographs; Stationery; Adhesives for stationery or household purposes; Artists' materials; Paintbrushes; Typewriters and office requisites (except furniture); Instructional and teaching material (except apparatus); Plastic materials for packaging, included in class 16.

Class 17 : Rubber, gutta-percha, gum, mica and goods made from these materials and not included in other classes; Packing, stopping and insulating materials; Flexible pipes, not of metal; Insulating gloves; Self-adhesive tapes, other than stationery and not for medical or household purposes; Plastic film, Namely pond liners and Building membranes.

Class 18 : Leather and imitations of leather, and goods made of these materials and not included in other classes; Saddlery; Tool bags (empty); Tool chests of leather (empty); Tool bags (empty), not of metal, not of leather

Class 19 : Building materials (non-metallic); Non-metallic rigid pipes for building; Asphalt, pitch and bitumen; Non-metallic transportable buildings; Monuments, not of metal.

Class 20 : Furniture, mirrors, picture frames; Goods (not including in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics; Dowels, not of metal; Wall plugs, not of metal; Window fittings, not of metal; Furniture fittings, not of metal; Door fittings, not of metal; Locks (other than electric), not of metal; Pasting tables; Racks [furniture]; Tool stands, Not of metal; Door stoppers, not of metal; Workshop equipment, included in class 20, including tool cabinets, small parts storage boxes, open storage boxes, sorting boxes, tool holders, machine tables, tool stands, workbenches (the aforesaid goods not of metal); Workshop

equipment (furniture), including tool cabinets, storage boxes for small parts, open storage boxes, sorting boxes, machine tables, tool stands, workbenches (the aforesaid goods being of metal); Paste tables, clamping tables; Tool boxes and tool chests (empty), not of metal, not of leather; Handles for tools and garden implements, not of metal; Plastic chains, rope and chain clamps, bolts, plugs, screws, nuts, washers, hooks, rivets (the aforesaid goods all not of metal); Transport pallets; Special-purpose containers, not of masonry, not of metal, included in class 20; Ladders of wood or plastic, stepladders, not of metal; Furniture glides of felt and plastic; Furniture feet of wood and plastic; Coat hangers; Casters of metal for beds; Casters, not of metal, for beds; Furniture casters, not of metal.

Class 21 : Household or kitchen utensils and containers (not of precious metal or coated therewith); Combs and sponges; Brushes (except paint brushes); Articles for cleaning purposes; Steelwool; Brooms; Funnels.

Class 22 : Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (so far as included in class 22); Raw fibrous textile materials; Tensioning and lashing straps, not of metal

Class 24 : Textiles and textile goods, not included in other classes.

Class 25 : Clothing, footwear, headgear.

Class 26 : Ribbons and braid; Buttons, hooks and eyes, pins and needles; Velcro.

Registered European Union Trade Mark No:011611431

Mark:LUX II

Proprietor:Secret Charm LLC

1437 East 20th Street

Los Angeles 90011

United States of America

Date of Application:27/02/2013

Date of Registration:22/05/2014

Priority Date: 16/10/2012

Class 25 : Bottoms; dresses; footwear; headwear; jackets; tops, none of the aforesaid goods being workwear.

Registered European Union Trade Mark No:012333381

Mark:LUX MALLORCA TV

Proprietor:CANAL 37 SA TELEVISIÓ DE PALMA S.A.

Gremio Silleros y Albarderos, 14 Polígono Son Castelló

07009 Palma De Mallorca

Spain

Date of Application:21/11/2013

Date of Registration:16/04/2014

Class 14 : Jewellery, precious stones; Clocks, watches and chronometric instruments.

Class 18 : Leather and imitation leather and goods made from these materials, not included in other classes; Animal skins, hides; Trunks and travelling bags; Umbrellas, parasols, canes and walking sticks; Whips and saddlery.

Class 25 : Clothing, headgear, footwear.

Class 28 : Games, playthings, toys; Playing cards; Gymnastic and sporting articles not included in other classes; Decorations for Christmas trees.

Class 38 : Broadcasting of radio and television programmes, expressly not including all those relating to photography and the organisation of prize-giving events relating to photography.

Class 41 : Television and radio programme production services, Not including those relating to cultural events relating to photography or organisation of photography awards.

Registered European Union Trade Mark No:013208657

Mark:LUX BY CHAOS

Proprietor:Do-Gree Fashions Ltd.

3205 Bedford Road

Montreal H3S 1G3

Canada

Date of Application:28/08/2014

Date of Registration:20/01/2015

Class 25 : Headwear; hats and headbands; socks, scarves, mittens, gloves, ski masks; necktubes being neckwear; articles of clothing.

Registered European Union Trade Mark No:016969909

Mark:Lux Seven

Proprietor:NO.17 TECHNOLOGIES (HK) LIMITED

FLAT/RM 1501 (219) 15/F SPA CENTRE 53-55 LOCKHART ROAD

WANCHAI

HK

China

Date of Application:11/07/2017

Date of Registration:27/04/2018

Class 25 : layettes [clothing]; clothing; waterproof clothing; masquerade costumes; shoes; hats; hosiery; neckties; Belts for clothing.

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 **19 September 2018**. 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: **20 June 2018**

Yours faithfully

Elsie Buggy

Elsie Buggy
Trade Mark and Design Examination Division
Direct Line: (056) 7720140
Ext: 4140
tmexam@patentsoffice.ie