

ARRANGEMENT ET PROTOCOLE DE MADRID

REFUS PROVISOIRE DE PROTECTION

notifiée au Bureau international de l'OMPI selon la Règle 17.1) du Règlement d'exécution

DT-V.IR1387991.2.pusz

I. Office qui envoie la déclaration:	
Office des brevets de la République de Pologne Département des marques Aleja Niepodległości 188/192 P.O. Box 203 00-950 VARSOVIE Pologne	Téléphone: (4822) 579 02 76 Téléfax: (4822) 579 04 23
II. Numéro de l'enregistrement international: 1387991	
III. Nom et adresse du titulaire:	
GUANGZHOU DARING INTERNATIONAL FORWARDING CO., LTD., Rm. 719, No. 799, Sanyuanli Avenue, Baiyun Dist. Guangzhou, CN	
IV. Refus provisoire fondé sur une opposition	
V. Refus provisoire pour tous les produits et/ou services	
VI. Motifs de refus - voir la rubrique suivante pour précisions	
VII. Renseignements relatifs à(aux) marque(s) antérieure(s):	
☒ Marque de l'Union européenne Article 132 ¹ .1.3 EUTM:011147345 (fig) LUX LUX TOOLS, 29/08/2012, Emil LUX GmbH & Co KG, Wermelskirchen, DE EUTM:004355558 (fig) LUX LUX, 22/03/2005, Emil LUX GmbH & Co KG, Wermelskirchen, DE EUTM: 004355574 LUX TOOLS, 22/03/2005, Emil LUX GmbH & Co KG, Wermelskirchen, DE Données concernant la marque – voir l'annexe; ANNEXES (nombre des annexes) (3) Reproduction(s) de marque(s) opposée(s) ☒ Autres motifs	
VIII. Dispositions essentielles correspondantes de la loi applicable – voir les pages 2 - 4	
IX. Informations relatives à la suite de la procédure:	
i) L'Office des brevets de la République de Pologne envoie l'acte de l'opposition reçue contre l'enregistrement international en question directement au titulaire de l'enregistrement avec le renseignement sur la procédure et l'indication des délais applicables. La signification de l'opposition commence le cours d'un délai de deux mois pour un règlement à l'amiable du litige. ii) les personnes qui ne sont pas domiciliées ou n'ont pas de siège social sur le territoire de la République de Pologne peuvent agir respectivement par l'intermédiaire d'un agent de la propriété industrielle, un avocat ou un conseiller juridique. La partie qui n'a pas désigné un mandataire ad litem résidant en Pologne est tenue de nommer un mandataire pour les significations dans la République de Pologne. Si aucun mandataire autorisé à recevoir les significations n'a été nommé, les actes judiciaires destinés à cette partie sont conservés au dossier et réputés signifiés. iii) obligation du point ii) ne s'applique pas aux personnes domiciliées ou ayant leur siège social sur le territoire de l'Union européenne, états membres de l'Association européenne de libre-échange (AELE) – parties à l'accord sur l'Espace économique européen ou de la Confédération suisse.	
X. Date de la notification de refus provisoire: 2018-06-18	
SIGNATURE OU SCEAU OFFICIEL DE L'ADMINISTRATION QUI A PRONONCE LE REFUS Office des brevets de la République de Pologne Département des marques Paulina Uszynska-Kzewuska Expert Document signé électroniquement	

DISPOSITIONS ESSENTIELLES de la loi du 30 juin 2000 Droit de la propriété industrielle		
Article 120:	1.	Peut constituer une marque tout signe représenté d'une manière graphique, lorsqu'un tel signe est susceptible de distinguer les produits d'une entreprise des produits d'une autre entreprise.
	3.	Chaque fois qu'on mentionne dans la présente loi des: 3) marques falsifiées, on comprend par là soit des marques identiques utilisées illégalement, soit des marques qui ne peuvent pas être distinguées dans les conditions normales de commerce de celles qui sont déjà enregistrées pour les produits étreints par le droit de protection. 4) marques antérieures, on comprend des marques demandées ou enregistrées avec la priorité antérieure.
Article 122:	1.	La disposition de l'article 120 paragraphe 1 n'exclut pas la reconnaissance comme marque un signe destiné à être utilisé simultanément par plusieurs personnes, y compris les entrepreneurs, qui en auraient fait collectivement la demande, qu'une telle utilisation ne soit pas contraire à l'intérêt public et n'ait pas pour objectif de tromper le public, en particulier en ce qui concerne la nature, la destination, la qualité, les propriétés ou la provenance des produits concernés (droit de protection collectif). 2. Les règles d'utilisation d'une marque en vertu du droit de protection collectif sont définies dans le règlement de la marque adopté par les personnes, y compris les entrepreneurs visés au paragraphe 1.
Article 129 ¹	1.	Ne sont pas accordés les droits de protection au signe: 1) qui ne peut pas constituer une marque ; 2) qui ne présente pas un caractère distinctif suffisant dans le commerce des biens pour lesquels il a été déposé ; 3) qui se compose uniquement d'éléments pouvant servir, dans le commerce, à désigner tout particulièrement l'espèce, la provenance, la qualité, la quantité, la valeur, la destination, le procédé de fabrication, la composition, la fonction ou l'utilité du produit, 4) se compose uniquement d'éléments qui sont devenus usuels dans le langage courant ou sont utilisés dans les habitudes loyales et constantes du commerce, 5) qui constitue une forme ou une autre particularité du produit ou de l'emballage, qui est déterminée uniquement par leur nature, sont indispensables en vue d'obtenir le résultat technique voulu ou augmente considérablement la valeur du produit, 6) lorsque la demande d'enregistrement a été effectuée de mauvaise foi, 7) est contraire à l'ordre public ou aux bonnes mœurs, 8) qui comporte des éléments qui sont des symboles, en particulier de caractère religieux, patriotique et culture, dont l'utilisation constituerait un outrage aux sentiments religieux et patriotiques ou encore à la tradition nationale, 9) qui comporte le symbole de la République de Pologne (emblème, couleurs nationales et hymne national), les insignes des forces armées, des organisations paramilitaires et des forces de l'ordre, les reproductions des insignes des ordres, décorations et distinctions honorifiques polonaises, des distinctions et emblèmes militaires ou autres distinctions et emblèmes officiels communément utilisés, en particulier ceux de l'administration gouvernementale ou des communautés locales, ou encore des organisations sociales d'intérêt public majeur, lorsque la zone d'activité des organisations en question s'étend sur l'ensemble du territoire national ou sur une importante partie de celui-ci, dans le cas où le demandeur n'est pas en mesure de présenter ses droits en la matière, notamment de présenter une autorisation de l'organe compétent de l'État ou bien le consentement de l'organisation concernée pour utiliser le signe distinctif dans le commerce, 10) qui comporte des symboles (armoirie, drapeau, emblème) d'État étranger, le nom, l'abréviations de nom ou symbole (armoirie, drapeau, emblème) d'organisation internationale, mais aussi les signes officiels et les cachets de contrôle et de garantie en vigueur dans des États étrangers, lorsqu'une telle interdiction découle des accords internationaux, à moins que le déposant ne soit en mesure de présenter une autorisation de l'organe compétent lui permettant d'utiliser ces signes distinctifs dans le commerce, 11) qui comporte des signes adoptés officiellement pour être utilisés dans le commerce, et notamment les signaux de sécurité, les marques de qualité ou les poinçons de légalisation, dans la mesure où cela pourrait être de nature à tromper le public en ce qui concerne la nature des signes en question, pour autant que le déposant ne soit à même de prouver qu'il est habilité à les utiliser; 12) peut être de nature à tromper le public, en particulier en ce qui concerne le caractère, la qualité ou l'origine géographique du produit, 13) constitue le nom protégé d'une variété végétale et fait référence à une variété végétale de la même espèce ou l'espèce associée.
	2.	S'agissant de produits alcooliques, toute marque comportant des indications géographiques non conformes à l'origine du produit est considérée comme une marque qui trompe le public.
	3.	Les droits de protection ne sont pas accordés aux marques comportant des indications géographiques authentiques au sens littéral du terme en ce qui concerne le territoire, la région ou le lieu d'où le produit est originaire, mais qui seraient susceptibles de tromper le public, au sens où ce produit serait originaire d'une autre région réputée pour produire les produits concernés. En ce qui concerne les désignations géographiques homonymiques pour le vin et la bière, la protection peut être accordée, mais la personne ayant déposé la demande d'enregistrement plus tard sera toutefois appelée par l'Office des brevets à apporter des changements appropriés à la marque, ceci pour permettre de la distinguer de la marque présentée antérieurement pour l'enregistrement.
	4.	N'est pas accordé le droit de protection à une marque pour des produits identiques ou similaires, si cette marque est identique ou similaire à un signe géographique enregistré, l'appellation d'origine, la mention traditionnelle du vin ou encore à l'appellation géographique d'une boisson spiritueuse, dont la protection est prévue en vertu et dans la mesure des dispositions de la loi.
Article 130:	1.	Le refus d'octroi d'un droit de protection en vertu de l'article 129 ¹ , paragraphe 1, points 2-4 ne peut avoir lieu, lorsque avant la date du dépôt à l'Office des brevets la marque acquise par usage un caractère distinctif dans les conditions normales de commerce.

Article 132 ¹	1.	Suite à un examen d'opposition, visée à l'article 152 ^{6a} , paragraphe 1 ou l'article 152 ¹⁷ , paragraphe 1, considérée comme justifiée, n'est pas accordé le droit de protection à une marque: 1) dont l'utilisation porte atteinte aux droits personnels ou patrimoniaux de tiers, 2) qui est identique à une marque pour laquelle on a accordé le droit de protection avec la priorité antérieure en faveur d'un tiers pour des produits identiques, 3) identique ou similaire à une marque pour laquelle on a accordé le droit de protection avec la priorité antérieure en faveur d'une autre personne pour des produits identiques, s'ils sont susceptibles de tromper le public, y compris le risque d'associer la marque déposée avec la marque antérieure, 4) qui est identique ou similaire à la marque renommée pour laquelle on a accordé le droit de protection avec la priorité antérieure en faveur d'une autre personne pour tout produit, si l'usage d'une marque déposée sans juste motif peut apporter le déposant un avantage indu ou porter préjudice à la renommée de la marque antérieure, 5) identique ou similaire à une marque qui avant de la date selon laquelle on détermine la priorité d'obtention du droit de protection dans la République de Pologne notoirement connue et utilisée en tant que marque destinée afin de désigner les marques identiques ou similaires appartenant à un tiers si la marque est susceptible de tromper le public, y compris en particulier le risque d'associer la marque déposée avec la marque notoirement connue.
	2.	Le motif d'opposition visé à l'article 152 ^{6a} , paragraphe 1 ou l'article 152 ¹⁷ , paragraphe 1, peut être fondé sur les demandes d'enregistrement d'une marque avec la priorité antérieure, visées au paragraphe 1, points 2-4, pour autant qu'ils obtiennent le droit de protection. Jusqu'à ce que les décisions définitives soient rendues dans les procédures d'enregistrement, la procédure d'opposition est suspendue.
	3.	Les paragraphes 1 et 2 s'appliquent de la même manière dans le cas où la marque antérieure a été déposée ou enregistrée selon les modalités prévues à l'article 4.
	4.	La protection de la marque qui contient les signes, visés à l'article 129 ¹ , paragraphe 1, point 8-11, ou signes qui font référence à l'origine du produit, n'exclut pas la possibilité d'obtenir par une autre personne la droit de protection à une marque composant en mêmes éléments pour des produits identiques ou similaires, si ceux marques peuvent être facilement distinguées.
Article 133:		Lorsque le titulaire de la marque antérieure ou le titulaire d'un droit personnel ou patrimonial précédent accorde par écrit l'autorisation d'enregistrement d'une marque ultérieure, l'opposition visée à l'article 152 ^{6a} , paragraphe 1 ou l'article 152 ¹⁷ , paragraphe 1 est rejetée.
Article 136:	1.	Une organisation jouissant de la personnalité morale, qui est appelée à représenter les intérêts d'entrepreneurs, peut obtenir le droit de protection d'une marque destinée à être utilisée dans le commerce par l'organisation en question ainsi que par les agents économiques qu'elle regroupe (marque collective).
	2.	Les règles d'utilisation de la marque collective, dans le commerce, par l'organisation visée au paragraphe 1, ainsi que par les agents économiques qu'elle regroupe, sont déterminées par le règlement de la marque adopté par cette organisation.
Article 137:	1.	À l'organisation dotée de la personnalité morale, mais ne faisant pas elle-même usage d'une marque, peut être attribué le droit de protection d'une marque destinée à être utilisée par des entrepreneurs qui se conforment aux règles fixées dans le règlement de la marque adopté par l'organisation habilitée en la matière et soumises dans ces limites à son contrôle (marque collective de garantie).
-	2.	L'ayant droit à la protection d'une marque collective de garantie ne peut pas refuser, sans motif valable, l'utilisation de la marque aux entrepreneurs qui remplissent les critères définis dans le droit visé au paragraphe 1.

Article 138:	2.	Une demande d'enregistrement ne peut concerner qu'une seule marque. Lorsqu'il s'agit de marques encouleurs, le signe qui comprend un ensemble de couleurs est considéré comme une seule marque. Les dispositions de l'article 39 sont alors pertinemment applicables.
Article 152 ² :	1.	Lorsque l'Office des brevets constate l'absence de conditions légales pour obtenir sur le territoire de la République de Pologne le droit de protection d'une marque internationale pour les raisons visées à l'article 129 ¹ , il prend la décision de refus de protection d'une marque internationale sur le territoire de la République de Pologne.
	2.	Avant d'émettre la décision visée au paragraphe 1, l'Office des brevets par voie, forme et la langue prévue par l'Arrangement de Madrid ou le Protocole notifie leur refus avec indication de tous les motifs au Bureau international (refus de protection provisoire), et aussi fixe au titulaire un délai pour exposer sa position au sujet des preuves et matériaux rassemblés qui seraient susceptibles de témoigner de l'existence d'entraves à l'obtention du droit de protection.
Article 152 ³ :		Lorsque l'absence de conditions légales pour obtenir sur le territoire de la République de Pologne le droit de protection d'une marque internationale pour les raisons visées à l'article 129 ¹ , ne concerne que certains produits l'Office des brevets prend la décision de refus de protection pour ces produits. La disposition de l'article 152 ² paragraphe 2 s'applique pertinemment.
Article 152 ^{6a} :	1.	Dans le délai de 3 mois à compter de la date de l'avis concernant la désignation sur le territoire de la République de Pologne d'une marque internationale, le titulaire de la marque antérieure ou titulaire d'un droit personnel ou patrimonial antérieur peut former l'opposition à la désignation sur le territoire de la République de Pologne d'une marque internationale pour les raisons visées à l'article 132 ¹ , paragraphes 1-3. Le délai ne peut pas être rétabli.
	2.	Si une opposition est formée contre la désignation sur le territoire de la République de Pologne d'une marque internationale, l'Office des brevets envoie au Bureau International une note concernant les motifs qui peuvent empêcher la reconnaissance sur le territoire de la République de Pologne de la protection d'une marque internationale résultants de l'opposition.
	3.	Les dispositions de l'article 152 ¹⁷ , paragraphes 2-7 et de l'article 152 ¹⁸ -152 ²³ s'appliquent pertinemment à la procédure d'opposition à la désignation sur le territoire de la République de Pologne d'une marque internationale.
Article 162:	3.	Le droit de protection à une marque collective peut être transmis en tant que droit collectif de protection pour les entrepreneurs associés dans une organisation, telle que mentionnée dans l'article 136. La convention concernant la transmission du droit doit préciser les règles de l'emploi d'une telle marque, tel que cela est prévu dans le règlement décrit par l'article 122, paragraphe 2.
	4.	Le droit de protection d'une marque peut être transmis dans le cas de certains produits pour lesquels ce droit est accordé, si les produits pour lesquels la marque est accordée encore en faveur du cédant ne sont pas de même genre. Au moment de la transmission, ce droit est considéré comme indépendant du droit propre au cédant.
	5.	Pour la validité de la convention concernant la transmission de la participation dans le droit commun de protection, l'accord de toutes les personnes co-habituées est nécessaire.
	6.	Les dispositions du paragraphe 1 et des paragraphes 3 à 5 s'appliquent pertinemment aux droits concernant le dépôt d'une demande fait à l'Office des brevets lorsque le droit de protection n'a pas encore été accordé.
Article 236:	3.	Les personnes qui ne sont pas domiciliées ou n'ont pas de siège social sur le territoire de la République de Pologne, dans les matières visées au paragraphe 1. et 1 ¹ peuvent agir respectivement par l'intermédiaire d'un agent de la propriété industrielle, un avocat ou un conseiller juridique. Cette obligation ne s'applique pas aux personnes domiciliées ou ayant leur siège social sur le territoire de l'Union européenne, états membres de l'Association européenne de libre-échange (AELE) – parties à l'accord sur l'Espace économique européen ou de la Confédération suisse.
Article 244:	1.	Le déposant peut présenter une demande, conforme au code des procédures administratives, de réexamen de la décision de l'Office des brevets. 1.1. On applique pertinemment à la procédure de réexamen de la décision les dispositions de code des procédures administratives concernant l'examen d'un recours, sous réserve des paragraphes 1.2., 1.3., et 1.4. suivants: 1.2. La demande de réexamen de la décision nécessite une justification supplémentaire; 1.3. Le jugement est mené dans le cas mentionné dans l'article 89, paragraphe 2, du code des procédures administratives, là encore sur la demande du déposant; 1.4. Le Président de l'Office des brevets délègue un expert pour le réexamen de la décision.
	3.	Les dispositions des paragraphes 1. et 1.1., 1.2., 1.3. et 1.4. s'appliquent pertinemment aux résolutions.
Article 248:		La décision et la résolution de l'Office des brevets peuvent faire l'objet d'un recours de la part du déposant auprès de la Cour administrative.
Article 254:		Le jugement définitif de l'Office des brevets achevant la procédure d'une affaire, mais en violation flagrante de la loi, peut faire l'objet d'une action en recours du président de l'Office des brevets, du Procureur général de la République de Pologne et du Médiateur auprès de la Cour administrative dans les 6 mois à compter de la date de notification du jugement en question à la partie.
Article 315:	1.	Les droits concernant les inventions, les modèles d'utilité, les modèles d'ornementation, la topographie des circuits intégrés, les marques et les projets de perfectionnement, qui existent le jour de l'entrée en vigueur de la loi, ne sont entachés d'aucune cause de nullité. Aux droits en question sont applicables les dispositions existant jusqu'à présent, à moins que les dispositions de la présente section n'en décident autrement.
	2.	Les actes juridiques établis avant la date d'entrée en vigueur de la présente loi sont assujettis aux prescriptions existant jusqu'à présent.
	3.	3. Les conditions légales exigées en vue de l'obtention d'un brevet, du droit de protection ou du droit d'enregistrement sont évaluées en fonction de la législation en vigueur le jour du dépôt de l'invention, du modèle d'utilité, de la marque ou de la topographie des circuits intégrés auprès de l'Office des brevets.



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EUTM file information

LUX LUX TOOLS
011147345

Trade mark information

Name	LUX LUX TOOLS	Filing date	29/08/2012
Filing number	011147345	Registration date	09/04/2014
Basis	EUTM on which IA is based	Expiry date	29/08/2022
Date of receipt	29/08/2012	Designation date	
Date of receipt of International Registrat...	30/01/2013	Filing language	German
IR number	1183565	Second language	English
Type	Figurative	Application reference	122033EMATss
Nature	Individual	Trade mark status	Registered
Nice classes	1, 3, 4, 6, 7, 8, 9, 10, 11, 12, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26 (Nice Classification)	Acquired distinctiveness	No
Vienna Classification	24.13.05, 26.01.03, 26.01.22 (Vienna Classification)		

Graphic representation



Goods and services

English (en)



- 1 Tempering and soldering preparations; Adhesives used in industry.
- 3 Cleaning, polishing and abrasive preparations; Abrasive paper.
- 4 Industrial oils and greases; Lubricants; Dust absorbing, wetting and binding compositions; Fuels (including motor spirit) and illuminants; Candles and wicks for lighting.
- 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.

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.

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]; Cutlery, 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; Stationary 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.

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.

10 Hearing protectors.

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

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.

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.

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.

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.

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

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.

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.

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.

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

25 Clothing, footwear, headgear.

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

Description

English (en)



Description

Colour Dark blue ("Pantone 288 C"), medium blue, white, light blue, grey, black

Owners

Emil Lux GmbH & Co. KG

ID	111011	Country	DE - Germany	Correspondence address	
Organisation	Emil Lux GmbH & Co. KG	State/county	n/a	Emil Lux GmbH & Co. KG Postfach 16 10 D-42909 Wermelskirchen ALEMANIA	Can be accessed and changed by authorised user via the User Area
Legal status	Legal entity	Town	Wermelskirch		
		Post code	42929		
		Address	Emil-Lux-Str. 1		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

DOMPATENT VON KREISLER SELTING WERNER - PARTNERSCHAFT VON PATENTANWÄLTEN UND RECHTSANWÄLTEN MBB

ID	10793	Country	DE - Germany	Correspondence address	
Organisation	n/a	State/county	n/a	dompatent von Kreisler Selting Werner - Partnerschaft von Patentanwälten und Rechtsanwälten mbB	00 49-221916520
Legal status	Legal person	Town	Köln		
Type	Association	Post code	50667		00 49-22191652-652
		Address	Deichmannha am Dom, Bahnhofsvorp 1		mail@dompatent.de

Correspondence

	From	Procedure	Filing number	Subject	Date	Actions
		EUTM	011147345	Surveillance letter	13/04/2017	
		Recordal	010860149	C.2.1. - Representative - change of name & address - entry on the register - automatic template	22/04/2016	
		Recordal	010860149	Letter to the EUIPO	22/04/2016	
		Recordal	010848748	C.2.1. - Representative - change of name & address - entry on the register - automatic template	20/04/2016	
		Recordal	010848748	Letter to the EUIPO	18/04/2016	
		EUTM	011147345	Surveillance letter	18/05/2015	
		EUTM	011147345	Cover letter for registration certificate.	15/04/2014	
		EUTM	011147345	Certificate of Registration	14/04/2014	
		Opposition	002158692	Conclusion Of Proceedings Pursuant To Withdrawal Of Opposition before AP- To The Applicant	08/04/2014	
		Opposition	002158692	Conclusion Of Proceedings Pursuant To Withdrawal Of Opposition before AP- To The Opposing Party	08/04/2014	
Showing 1 to 10 of 32 entries						

IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

No data

Publications

Bulletin number	Date	Section	Description
2012/243	21/12/2012	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2014/063	03/04/2014	C.2.1	Representative - Change of name and professional address
2014/069	11/04/2014	C.3.6	International trade marks
2014/070	14/04/2014	B.2	Registrations with amendments since the application was published
2016/073	20/04/2016	C.2.1	Representative - Change of name and professional address
2016/077	26/04/2016	C.2.1	Representative - Change of name and professional address
Showing 1 to 6 of 6 entries			

Cancellation

No data

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2014/063	03/04/2014	C.2.1	008334909	Representative	Change of name and professional address
2014/069	11/04/2014	C.3.6	008376314	Trade mark	International trade mark
2016/073	20/04/2016	C.2.1	010848748	Representative	Change of name and professional address
2016/077	26/04/2016	C.2.1	010860149	Representative	Change of name and professional address
Showing 1 to 4 of 4 entries					

Oppositions

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
002158692	21/03/2013	Identity of marks and G&S Likelihood of confusion	Hunter Industries, Inc.	GEVERS	English	4145659	Withdrawn	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;

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
								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

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
								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]; Cutlery, 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,

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
								lamine 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 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; 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,

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
								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);

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
								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

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
								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.
Showing 1 to 1 of 1 entries								

Appeals

No data

Decisions

No data

Renewals

No data

Trade mark relations

No data



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EUTM file information

LUX LUX
004355558

Trade mark information

Name	LUX LUX	Filing date	22/03/2005
Filing number	004355558	Registration date	17/11/2008
Basis	EUTM	Expiry date	22/03/2025
Date of receipt	22/03/2005	Designation date	
Type	Figurative	Filing language	German
Nature	Individual	Second language	English
Nice classes	1, 3, 4, 6, 7, 8, 9, 11, 12, 16, 17, 18, 20, 21, 22, 24, 25, 26 (Nice Classification)	Application reference	Sg/mw050673em
Vienna Classification	24.13.05, 24.13.22, 26.01.03, 26.01.22 (Vienna Classification)	Trade mark status	Registered
		Acquired distinctiveness	No

Graphic representation



Goods and services

English (en)



- 1** Tempering and soldering preparations, adhesives used in industry, cartridges for hot melt guns.
- 3** Abrasives, sandpaper.
- 4** Industrial oils and greases; lubricants.
- 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.

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.

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.

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.

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

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

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.

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.

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

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.

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.

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

24 Non-woven textile fabrics.

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

26 Velcro.

Description

No data

Owners

Emil Lux GmbH & Co. KG

ID	111011	Country	DE - Germany	Correspondence address	
Organisation		State/county	n/a	Emil Lux GmbH & Co. KG Postfach 16 10	Can be accessed and changed by authorised user via the User Area

Legal status	Emil Lux GmbH & Co. KG	Town	Wermelskirch	D-42909 Wermelskirchen ALEMANIA	Can be accessed and changed by authorised user via the User Area
		Post code	42929		
	Legal entity	Address	Emil-Lux-Str. 1		
					Can be accessed and changed by authorised user via the User Area

Representatives

DOMPATENT VON KREISLER SELTING WERNER - PARTNERSCHAFT VON PATENTANWÄLTEN UND RECHTSANWÄLTEN MBB

ID	10793	Country	DE - Germany	Correspondence address	
Organisation	n/a	State/county	n/a	dompatent von Kreisler Selting Werner - Partnerschaft von Patentanwälten und Rechtsanwälten mbB	00 49-221916520
Legal status	Legal person	Town	Köln		
Type	Association	Post code	50667	Deichmannhaus am Dom, Bahnhofsvorplatz 1	00 49-22191652-652
		Address	1	D-50667 Köln ALEMANIA	mail@dompatent.de

Correspondence

	From	Procedure	Filing number	Subject	Date	Actions
		EUTM	004355558	Surveillance letter	12/02/2018	
		EUTM	004355558	Surveillance letter	06/02/2018	
		EUTM	004355558	Surveillance letter	16/10/2017	
		EUTM	004355558	Surveillance letter	31/08/2017	
		EUTM	004355558	Surveillance letter	06/07/2017	
		EUTM	004355558	Surveillance letter	21/03/2017	
		EUTM	004355558	Surveillance letter	20/02/2017	
		EUTM	004355558	Surveillance letter	07/02/2017	
		EUTM	004355558	Surveillance letter	27/12/2016	
		EUTM	004355558	Surveillance letter	08/12/2016	
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IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

No data

Publications

Bulletin number	Date	Section	Description
2006/011	13/03/2006	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2008/047	24/11/2008	B.2	Registrations with amendments since the application was published
2014/063	03/04/2014	C.2.1	Representative - Change of name and professional address
2014/203	29/10/2014	D.1	Renewals
2016/073	20/04/2016	C.2.1	Representative - Change of name and professional address
2016/077	26/04/2016	C.2.1	Representative - Change of name and professional address
2016/126	08/07/2016	B.4.2	Correction of errors - Relative errors
Showing 1 to 7 of 7 entries			

Cancellation

No data

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2014/063	03/04/2014	C.2.1	008334909	Representative	Change of name and professional address
2014/203	29/10/2014	D.1	008747779	Renewal	Total Renewal
2016/073	20/04/2016	C.2.1	010848748	Representative	Change of name and professional address
2016/077	26/04/2016	C.2.1	010860149	Representative	Change of name and professional address
2016/126	08/07/2016	B.4.2	011143131	Correction of errors	Relative errors
Showing 1 to 5 of 5 entries					

Oppositions

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
001019894	08/06/2006	Likelihood of confusion	Aldi Einkauf GmbH & Co. oHG	SCHMIDT, VON DER OSTEN & HUBER RECHTSANWÄLTE STEUERBERATER PARTNERSCHAFT MBB	German	LH/KA 00363/06	Closed	
Showing 1 to 1 of 1 entries								

Appeals

No data

Decisions

No data

Renewals

Title	Filing number	Status	Status date
Renewal	008747779	Trade mark renewed	29/10/2014

Showing 1 to 1 of 1 entries

Trade mark relations

No data



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EUTM file information

LUX-TOOLS

004355574

Trade mark information

Name	LUX-TOOLS	Filing date	22/03/2005
Filing number	004355574	Registration date	19/11/2007
Basis	EUTM	Expiry date	22/03/2025
Date of receipt	22/03/2005	Designation date	
Type	Word	Filing language	German
Nature	Individual	Second language	English
Nice classes	1, 3, 4, 6, 7, 8, 9, 11, 12, 16, 17, 18, 20, 21, 22, 24, 25, 26 (Nice Classification)	Application reference	Sg/mw050674em
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en) ☒

- 1** Tempering and soldering preparations, adhesives used in industry, cartridges for hot melt guns.
- 3** Abrasives, sandpaper.
- 4** Industrial oils and greases; lubricants.
- 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.
- 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.
- 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.
- 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.

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

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

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.

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.

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

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.

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.

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

24 Non-woven textile fabrics.

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

26 Velcro.

Description

No data

Owners

Emil Lux GmbH & Co. KG

ID	111011	Country	DE - Germany	Correspondence address	
Organisation	Emil Lux GmbH & Co. KG	State/county	n/a	Emil Lux GmbH & Co. KG Postfach 16 10 D-42909 Wermelskirchen ALEMANIA	Can be accessed and changed by authorised user via the User Area
Legal status	Legal entity	Town	Wermelskirch		
		Post code	42929		
		Address	Emil-Lux-Str. 1		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

DOMPATENT VON KREISLER SELTING WERNER - PARTNERSCHAFT VON PATENTANWÄLTEN UND RECHTSANWÄLTEN MBB

ID	10793	Country	DE - Germany	Correspondence address	
Organisation	n/a	State/county	n/a	dompatent von Kreisler Selting Werner - Partnerschaft von Patentanwälten und Rechtsanwälten mbb	00 49-221916520
Legal status	Legal person	Town	Köln	Deichmannhaus am Dom, Bahnhofsvorplatz 1 D-50667 Köln ALEMANIA	00 49-22191652-652
Type	Association	Post code	50667		mail@dompatent.de
		Address	Deichmannhaus am Dom, Bahnhofsvorplatz 1		

Correspondence

	From	Procedure	Filing number	Subject	Date	Actions
		Recordal	011143149	Correction of errors - notification of entry	15/07/2016	
		EUTM	004355574	Cover letter for registration certificate.	08/07/2016	
		EUTM	004355574	Certificate of Registration	08/07/2016	
		Recordal	010860149	C.2.1. - Representative - change of name & address - entry on the register - automatic template	22/04/2016	
		Recordal	010860149	Letter to the EUIPO	22/04/2016	
		Recordal	010848748	C.2.1. - Representative - change of name & address - entry on the register - automatic template	20/04/2016	
		Recordal	010848748	Letter to the EUIPO	18/04/2016	
		Recordal	008750294	L607 \: Notification of the total renewal of the EUTM	27/10/2014	
		Recordal	008750294	Application form and attachment	23/10/2014	
		Recordal	008750294	L601A \: Notification of the need to renew an EUTM registration	25/08/2014	
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IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

No data

Publications

Bulletin number	Date	Section	Description
2006/011	13/03/2006	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2007/064	26/11/2007	B.2	Registrations with amendments since the application was published
2014/063	03/04/2014	C.2.1	Representative - Change of name and professional address
2014/203	29/10/2014	D.1	Renewals
2016/073	20/04/2016	C.2.1	Representative - Change of name and professional address
2016/077	26/04/2016	C.2.1	Representative - Change of name and professional address
2016/126	08/07/2016	B.4.2	Correction of errors - Relative errors
Showing 1 to 7 of 7 entries			

Cancellation

No data

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2014/063	03/04/2014	C.2.1	008334909	Representative	Change of name and professional address
2014/203	29/10/2014	D.1	008750294	Renewal	Total Renewal
2016/073	20/04/2016	C.2.1	010848748	Representative	Change of name and professional address
2016/077	26/04/2016	C.2.1	010860149	Representative	Change of name and professional address
2016/126	08/07/2016	B.4.2	011143149	Correction of errors	Relative errors
Showing 1 to 5 of 5 entries					

Oppositions

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
001023508	13/06/2006	Likelihood of confusion	ALIVER S.r.l.	BUGNION S.P.A.	English	61:A3567.23.EM.1	Withdrawn	
Showing 1 to 1 of 1 entries								

Appeals

No data

Decisions

No data

Renewals

Title	Filing number	Status	Status date
Renewal	008750294	Trade mark renewed	29/10/2014
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Trade mark relations

No data