


**MADRID PROTOCOL****Model Form 3A: Total Provisional Refusal of Protection (Rule 17(1) of the Common Regulations)**

I.	Office making the notification:  <b>Patent Office of the Republic of Bulgaria</b> 52b, bul.Dr.G.M.Dimitrov, BG-1797 Sofia, BULGARIA, <a href="http://www.bpo.bg">www.bpo.bg</a>
II.	Number of the international registration: 1302999
III.	Name of the holder: LIMITED LIABILITY COMPANY "ANYKISS"
IV.	<p>Information concerning the type of provisional refusal:</p> <p><i>Please indicate the type of refusal by checking only one of the following options:</i></p> <p><input type="checkbox"/> Total provisional refusal based on an <i>ex officio</i> examination</p> <p><input checked="" type="checkbox"/> <b>Total provisional refusal based on an opposition</b></p> <p><input type="checkbox"/> Total provisional refusal based on both an <i>ex officio</i> examination and an opposition</p> <p>(i) Name and address of the opponent: The Hershey Company 100 Crystal A Drive Hershey, PA 17033, US</p>
V.	<p>Information concerning the scope of the provisional refusal:</p> <p>Total provisional refusal affects all the goods.</p>
VI.	<p>Grounds for refusal [(where applicable, see item VII)]:</p> <p><b>Art.38b in relation with Art.12(3) and Art.12(1)2 of the Law on Marks and Geographical Indications - earlier EU trade marks (EUTM)</b></p>

VII. Information relating to earlier mark:

**1. EUTM "HERSHEY'S KISSES" № 000680280**

- (i) Filing date and number, and, if any, priority date: 04/11/1997; 000680280
- (ii) Registration date and number (if available): 22/03/2000; 000680280
- (iii) Name and address of the owners: The Hershey Company, 100 Crystal A Drive, Hershey, PA 17033, US
- (iv) Reproduction of the mark: HERSHEY'S KISSES
- (v) List of the relevant goods: see extract from the database of the EU trade marks

**2. EUTM "HERSHEY'S KISSES" № 011239332**

- (vi) Filing date and number, and, if any, priority date: 04/10/2012; 011239332
- (vii) Registration date and number (if available): 16/04/2013; 011239332
- (viii) Name and address of the owners: The Hershey Company, 100 Crystal A Drive, Hershey, PA 17033, US
- (ix) Reproduction of the mark:



- (x) List of the relevant goods: see extract from the database of the EU trade marks

**3. EUTM "HERSHEY'S KISSES" № 011239506**

- (xi) Filing date and number, and, if any, priority date: 04/10/2012; 011239506
- (xii) Registration date and number (if available): 07/05/2013; 011239506
- (xiii) Name and address of the owners: The Hershey Company, 100 Crystal A Drive, Hershey, PA 17033, US
- (xiv) Reproduction of the mark:



- (xv) List of the relevant goods: see extract from the database of the EU trade marks

VIII. Corresponding essential provisions of the applicable law:

**LAW ON MARKS AND GEOGRAPHICAL INDICATIONS**

*Prom. SG. 81/14 Sep 1999, corr. SG. 82/17 Sep 1999, amend. SG. 28/1 Apr 2005, amend. SG. 43/20 May 2005, amend. SG. 94/25 Nov 2005, amend. SG. 105/29 Dec 2005, amend. SG. 30/11 Apr 2006, amend. SG. 73/5 Sep 2006, amend. SG. 96/28 Nov 2006, amend. SG. 59/20 Jul 2007, amend. SG. 36/4 Apr 2008, amend. SG. 12/13 Feb 2009, amend. SG. 32/28 Apr 2009, amend. SG. 19/9 Mar 2010*

### **Representation**

**Art. 3. (1)** Any person having the right under this Law to conduct business with the Patent Office may do so either in person or through a local industrial property agent.

**(2) (amended - State Gazette No. 43/2005, in force since 21.08.2005)** Those persons provided for in paragraph (1) who have no residence or headquarters in the Republic of Bulgaria shall conduct business with the Patent Office through a local industrial property agent.

### **Relative Grounds for Refusal of Registration (title amend. - SG 73/06, in force from 06.10.2006)**

**Art. 12. (1) (amend. – SG 19/10, in force from 10.03.2011)** In case of opposition filed under Art. 38b shall not be registered a mark:

1. (suppl. – SG 19/10, in force from 10.03.2011) which is identical with an earlier mark when the commodities or the services of the declared one and of the earlier mark are identical.

2. (suppl. – SG 19/10, in force from 10.03.2011) when, due to its identity or similarity with an earlier mark and the identity or the similarity of the commodities or the services of the two marks there is a probability for confusion of the users including the opportunity for connection with the earlier mark;

3. (revoked – SG 19/10, in force from 10.03.2011)

**(2) (amend. – SG 19/10, in force from 10.03.2011)** An earlier mark in the sense of para 1 shall be:

1. a mark with earlier filing date of the application or earlier priority, registered under this Law;

2. an applied mark with earlier filing date or earlier priority, in case being registered under this Law;

3. a mark registered under the Madrid Agreement or the Protocol with earlier date of registration or earlier priority and acknowledged effect on the territory of the Republic of Bulgaria;

4. a mark registered under the Madrid Agreement or the Protocol with earlier date of registration or earlier priority in case its effect being acknowledged on the territory of the Republic of Bulgaria;

5. a Community mark with earlier filing date of the application or earlier priority, or earlier seniority for the territory of the Republic of Bulgaria, acknowledged under the order of Regulation (EC) No 207/2009 of the Council of 26 February 2009 regarding the Community trademark (OJ, L 78/1 of 24 March 2009), hereinafter referred to as "Regulation (EC) No 207/2009";

6. an applied Community mark with earlier filing date of the application or earlier priority, or earlier seniority for the territory of the Republic of Bulgaria, acknowledged under Regulation (EC) No 207/2009, in case it being registered under this Regulation;

7. a mark which is widely known on the territory of the Republic of Bulgaria by the date of submitting an application for a mark, respectively by the date of priority.

**(3) (amend. SG 43/05)** A mark identical with or similar to an earlier mark and designated for commodities or services which are not identical with or similar to these for which the earlier mark has been registered when the earlier mark is well-known on the territory of the Republic of Bulgaria and the use of the declared mark would lead to unfair benefits from the distinctive character or the popularity of the earlier mark or will degrade them, shall not be registered.

**(4)** The provisions of para 1, item 2 and para 3 shall not be applied upon consent by the owner of the earlier mark.

**(5) (new – SG 19/10, in force from 10.03.2011)** In case of opposition filed by the actual

holder of a mark, no mark shall be registered, if filed by the agent or the representative of the actual holder without the consent of the latter.

(6) (new – SG 19/10, in force from 10.03.2011) In case of opposition filed by the actual holder of a non-registered mark used in the commercial activity on the territory of the Republic of Bulgaria, no mark shall be registered which filing date is later than the date of the actual commercial use of the non-registered mark.

#### **Objections by third parties**

Art. 38a. (new – SG 19/10, in force from 10.03.2011) (1) Within three months from the date of publication of the application any natural or legal person, as well as associations representing manufacturers, producers, providers of services, merchants or consumers, may file an objection against the registration of a mark on the grounds of Art. 11.

(2) The objection shall be filed in writing and shall be grounded and reasoned.

(3) The person that has filed the objection shall not be deemed participant in the registration procedure.

(4) The objection shall be sent to the applicant who may state his opinion thereto.

(5) The objection shall be decided upon by the opposition department.

#### **Opposition against the registration**

Art. 38b. (new – SG 19/10, in force from 10.03.2011) (1) The holder of an earlier mark in the sense of Art.12, Para 2 and 3, the exclusive licensee of an earlier mark, the actual owner of a non-registered mark, used in commercial activity on the territory of the Republic of Bulgaria and applied for registration, as well as a holder of a mark, applied for by an agent or representative of the holder without the consent of the latter, may file an opposition on the grounds of Art.12, Para 1 against:

1. the registration of a mark, applied for under this Law;

2. the recognition of the effect of an international registration on the territory of the Republic of Bulgaria.

(2) The opposition under Para 1, Item 1 shall be filed within three months from the publication of the applied mark in the official bulletin of the Patent Office.

(3) The opposition under Para 1, Item 2 shall be filed between the 6th and the 9th month after the publication of the international registration in the official bulletin of the Patent Office.

(4) The opposition shall be filed in two copies, it shall be reasoned, shall contain information of the filing person, of the opposed mark, the legal grounds it is based on, and shall be accompanied by evidence, if necessary. When the opposition is based on a well-known mark or on a mark with reputation, it shall be accompanied by evidence of its well known status or reputation.

(5) The opposition shall be accompanied by a document for paid fees.

(6) The applicant of the opposed mark shall be notified in case of opposition under Para 1, Item 1.

(7) The International Bureau shall be notified in case of opposition under Para 1, Item 2.

#### **Check of the admissibility and the formal validity of the opposition**

Art. 38c. (new – SG 19/10, in force from 10.03.2011) (1) Each opposition shall be checked for compliance with the requirements of Art. 38b, Para 1, 2 and 3.

(2) Any opposition not filed within the time limit, and/or lacking paid fees within the time limit under Art. 38b, Para 2, or not filed by a person under Para 1 shall be inadmissible and shall not give rise to a procedure, of which the filing person shall be notified.

(3) Each admissible opposition shall be checked for compliance with the requirements of Art. 38b, Para 4 and where deficiencies have been found the filing person shall be notified and given a two-month time limit for correcting them. Where the deficiencies are not

corrected within the time limit, a decision for terminating the procedure shall be taken.

**Opposition proceedings**

Art. 38d. (new – SG 19/10, in force from 10.03.2011) (1) The opposition shall be considered by panels of the opposition department consisting of three experts, one being the chairman of the panel.

(2) One of the copies of the opposition, together with the evidence, shall be sent to the applicant of the mark being opposed. Simultaneously, a notification shall be sent to the both parties that they are provided a three-month time limit to reach an agreement commencing from the date of sending the notification. This time limit may be extended twice by three months at request in writing signed by the parties.

(3) When the parties submit an agreement on the dispute according to Para 2, the proceedings shall be terminated.

(4) When no agreement has been submitted within the time limit under Para 2, the applicant of the opposed mark shall be provided a two-month time limit to respond to the opposition. If the applicant of the opposed mark fails to respond within that time limit, a decision based on the opposition and the supplied evidence shall be delivered.

(5) The response of the applicant of the opposed mark shall be sent to the person that has filed the opposition and the latter shall be provided one month to state his opinion.

(6) At the request of the applicant of the opposed mark, the person that has filed the opposition shall present evidence for genuine use of the earlier mark during the 5 years preceding the publication of the application of the opposed mark, or evidence for the reasons justifying the lack of use, provided that the earlier has been registered at least 5 years before the date of filing the opposition. The person that has filed the opposition shall be provided a two-month term to furnish such evidence. If no such evidence has been furnished, a decision for rejecting the opposition as groundless shall be taken.

(7) The request under Para 6 shall be made at the first opportunity given to the applicant to respond to the opposition.

(8) Within 6 months from the exchange of correspondence between the parties the panel from the opposition department shall consider the opposition, the opinion of the applicant of the opposed mark and of the person that has filed the opposition, as well as the supplied evidence, if available, and shall deliver a decision.

(9) When the opposition is unfounded, a decision for its rejection shall be taken.

(10) When the opposition is founded, a decision shall be taken for partial or full refusal to register the opposed mark.

(11) The order for drawing up, filing and considering oppositions shall be determined in an ordinance of the Council of Ministers.

**IX. Information relating to subsequent procedure:**

The Patent Office of the Republic of Bulgaria will notify the opposition separately to the holder of the international registration pursuant to Rule 38d(2) of the LMGI. The Office will set time limits for the holder. The notification will open an (extendable) cooling-off period of three months and a further period of two months for the holder of the international registration to submit observations against the opposition.

X. Signature or official seal of the Office making the notification:



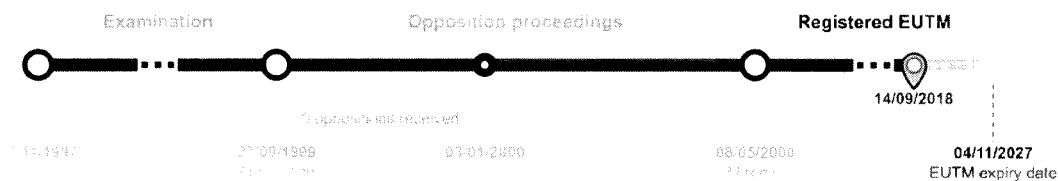
XI. Date of the notification to the International Bureau: **13/09/2018**

*[End of Model Form 3A]*

## EUTM file information

**HERSHEY'S KISSES**  
**000680280**

### Timeline



### Trade mark information

Name	HERSHEY'S KISSES	Filing date	04/11/1997
Filing number	000680280	Registration date	22/03/2000
Basis	EUTM	Expiry date	04/11/2027
Date of receipt	07/11/1997	Designation date	
Type	Word	Filing language	English
Nature	Individual	Second language	French
Nice classes	5, 30 ( Nice Classification )	Application reference	TM.21502 PEI/VIC/nmg
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

### Goods and services

English (en) ▼

**5** Pharmaceutical, veterinary and sanitary substances; infants' and invalids' foods; plasters, material for bandaging; material for stopping teeth, dental wax, disinfectants; preparations for killing weeds; foods and beverages for infants and invalids; dietetic foods and beverages generally, ingredients and preparations included in Class 5 for the preparation of the abovementioned products; nutritional drink mixes for use as meal replacements; antitussive drops; chemical medicinal substances; cough drops; cough lozenges; medicated lozenges containing licorice extract and for the treatment of colds, coughs and throat ailments; medicated confectionery; throat drops and cough suppressant tablets; medicinal teas and herbal teas in Class 5; sleep aid preparations, nutritional supplement drink fortified with antioxidants; nutritional supplement drink mix; nutritionally fortified water; vitamin enriched water; vitamin fortified beverages; vitamin supplement in tablet form for use in making and effervescent beverage when added to water; dietary supplement drink mixes; nutritional shakes for use as a meal substitute; meal replacement bars; dietary and nutritional food supplement bars; nutritional energy bars; antioxidant ingredient used in the manufacturing of food products and beverages; oral health care products; ready to eat food bars for use as a meal replacement; ready to eat cereal-derived food bars for use as a meal replacement; throat sprays.

**30** Coffee and coffee products, tea and tea products, cocoa and cocoa products, chocolate and chocolate products; concentrates, mixtures and extracts of coffee, tea or cocoa for preparing beverages; creams, sweets and dainties; cocoa peelings, cocoa icings, sweet chocolate and milk chocolate, with or without nuts or cereals, semi-sweet chocolate, milk chocolate with almonds, milk chocolate fudge, milk chocolate covered nutrolls, chocolate in solid state, chocolate coatings, chocolate liquors, chocolate powder, chocolate syrup, goods made wholly or principally of chocolate cocoa, candy or confectionery, non-medicated chocolate confectionery, chocolate sauces and chocolate flavourings, none being essential oils, chocolate substitutes, milk chocolate fudge topping, instant cocoa mixes, and chocolate-based and cocoa-based beverages; sugar and natural sweetening means; rice, tapioca, sago, coffee substitutes, flour and preparations made from

cereals and grain products for human consumption, excluding those for dietetic purposes; noodles, spaghetti and other pastas and products made from pasta dough; pasta products; bread, crackers, biscuits, cakes, pastry and fancy cakes; candy and confectionery, sweets (also made with sugarfree sweetening means) including edible gum sweets and filled confectionery; bonbons and chewing gum; sweetmeats and fondants based on marzipan, marchpane or chocolate, also containing nuts or almonds, rock candy and products made completely or mainly of chocolate, of cocoa, of rock candy or of cakes or pastries; ice cream, edible ices, ice for refreshment, sherbers and ice cakes; pudding powder and puddings; custards, desserts, prepared desserts, prepared desserts (substantially consisting of fruit or curds or yoghurt or pudding); flavoured syrups, flavoured fruit syrups, syrups included in Class 30; honey, treacle; yeast, baking powder; salt, mustard; pepper, vinegar, mayonnaise; salad sauces; spices; ice; cooling ice (except chemical cooling means); flavourings; toppings for ice cream, desserts and other food products; toppings made from sugar and/or chocolate for ice cream, desserts and other foods; toppings for food products such as ice cream and sweets in Class 30; desserts and other food products; candy sugar for food purposes, bars of candy sugar for food purposes, chocolate chunks, curls, chips and flakes of chocolate or of other flavours for pastry or biscuits, cooking chocolate, coconut flakes, chilled desserts, purees, food products made wholly or principally of the foregoing; flavourings; flavourings for food and beverages; food ingredients (not included in other classes); food products made wholly or principally of the foregoing.

## Description

No data

## Owners

### The Hershey Company

ID	<b>237873</b>	Country	<b>US - United States</b>	Correspondence address	
Organisation	<b>The Hershey Company</b>	State/country	<b>PA</b>	The Hershey Company 100 Crystal A Drive Hershey, PA 17033 ESTADOS UNIDOS (DE AMERICA)	Can be accessed and changed by authorised user via the User Area
Legal status	<b>Legal entity</b>	Town	<b>Hershey,</b>		
State, district or t...	<b>Delaware</b>	Post code	<b>17033</b>		Can be accessed and changed by authorised user via the User Area
		Address	<b>100 Crystal A Drive</b>		Can be accessed and changed by authorised user via the User Area

## Representatives

### J A KEMP

ID	<b>10662</b>	Country	<b>GB - United Kingdom</b>	Correspondence address	
Organisation	<b>n/a</b>	State/country	<b>n/a</b>	J A KEMP 14 South Square Gray's Inn London WC1R 5JJ REINO UNIDO	00 44-2030778600
Legal status	<b>Legal person</b>	Town	<b>London</b>		00 44-2074301000
Type	<b>Association</b>	Post code	<b>WC1R 5JJ</b>		mail@jakemp.com
		Address	<b>14 South Square Gray's Inn</b>		

## Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	012610369	L607A	06/11/2017	
	Recordal	012610369	Application form and attachment	22/06/2017	
	Recordal	012610369	L601A \: Notification of the need to renew an EUTM registration	11/04/2017	



From	Procedure	Filing number	Subject	Date	Actions
	Recordal	011174433	C.1.3. Owner - change of name & address - entry on the register M - automatic template	12/07/2016	
	Recordal	011174433	Application form and attachment	11/07/2016	
	Recordal	011174433	Letter to the EUIPO	11/07/2016	
	Recordal	006346376	T724M - Registration of recordal C.2.1 / B.9.1	12/03/2012	
	Recordal	006346376	Letter to the EUIPO	12/03/2012	
	Recordal	006346376	Cover page	12/03/2012	
	Recordal	006346376	Letter to the EUIPO	12/03/2012	

Showing 1 to 10 of 81 entries

## IR transformation

No data

## Seniority

Filing number	Registration number	Country	Priority date	Filing date	Registration date	International code	Status
	101038	Austria			04/11/1982	EU	ACCEPTED
	999792	Germany			26/03/1980	EU	ACCEPTED
	VR 1981 01847	Denmark			22/05/1981	EU	ACCEPTED
	M1012972	Spain			05/09/1983	EU	ACCEPTED
	85110	Finland			20/04/1983	EU	ACCEPTED
	141538	Finland			20/12/1995	EU	ACCEPTED
	2105830	United Kingdom			23/07/1996	EU	ACCEPTED
	0000404829	Italy			17/02/1986	EU	ACCEPTED
	217773	Portugal			03/05/1989	EU	ACCEPTED
	185346	Sweden			18/02/1983	EU	ACCEPTED

Showing 1 to 10 of 11 entries

## Exhibition priority

No data

## Priority

No data

## Publications

Bulletin number	Date	Section	Description
1999/076	27/09/1999	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2000/036	08/05/2000	B.1	Registrations with no amendments since the application was published
2007/031	09/07/2007	C.1.3	Proprietor - Change of name and address
2007/041	13/08/2007	B.4.2	Correction of errors - Relative errors

Bulletin number	Date	Section	Description
2007/066	10/12/2007	D.1	Renewals
2011/073	14/04/2011	C.3.2	Partial surrender / Declaration under Art.33(8) EUTMR
2012/052	14/03/2012	C.2.1	Representative - Change of name and professional address
2016/129	13/07/2016	C.1.3	Proprietor - Change of name and address
2017/211	07/11/2017	D.1	Renewals

Showing 1 to 9 of 9 entries

## Cancellation

No data

## Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
			000763899	Representative	Change of name and professional address
			001633315	Proprietor	Change of name and address
2007/031	09/07/2007	C.1.3	001333965	Proprietor	Change of name and address
2007/041	13/08/2007	B.4.2	000238223	Correction of errors	Relative errors
2007/066	10/12/2007	D.1	002493248	Renewal	Total Renewal
2011/073	14/04/2011	C.3.2	005352102	Trade mark	Partial Surrender
2012/052	14/03/2012	C.2.1	006346376	Representative	Change of name and professional address
2016/129	13/07/2016	C.1.3	011174433	Proprietor	Change of name and address
2017/211	07/11/2017	D.1	012610369	Renewal	Total Renewal

Showing 1 to 9 of 9 entries

## Oppositions

No data

## Appeals

No data

## Decisions

No data

## Renewals

Title	Filing number	Status	Status date
Renewal	002493248	Trade mark renewed	11/12/2007
Renewal	012610369	Trade mark renewed	07/11/2017

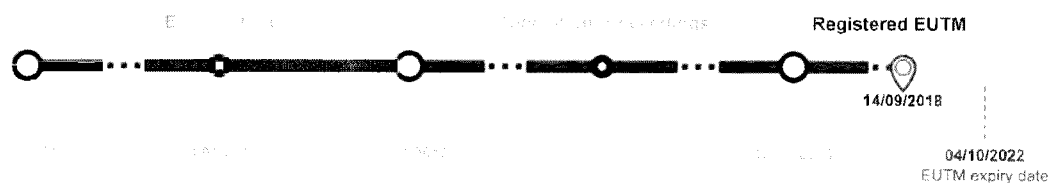
Showing 1 to 2 of 2 entries

## Trade mark relations

## EUTM file information

**HERSHEY'S KISSES**  
**011239332**

### Timeline



### Trade mark information

Name	HERSHEY'S KISSES	Filing date	04/10/2012
Filing number	011239332	Registration date	16/04/2013
Basis	EUTM	Expiry date	04/10/2022
Date of receipt	04/10/2012	Designation date	
Type	Figurative	Filing language	English
Nature	Individual	Second language	French
Nice classes	30 ( Nice Classification )	Application reference	TM27355/TPA
Vienna Classification	08.01.23 ( Vienna Classification )	Trade mark status	Registered
		Acquired distinctiveness	No

### Graphic representation



### Goods and services

English (en)

**30** Coffee, tea, cocoa and artificial coffee; Rice; Tapioca and sago; Flour and preparations made from cereals; Bread, pastry and confectionery; Ices; Sugar, honey, treacle; Yeast, baking-powder; Salt; Mustard; Vinegar, sauces (condiments); Spices; Ice; Allspice; Almond confectionery; Almond paste; Aniseed; Aromatic preparations for food; Artificial coffee; Baking powder; Baking soda [bicarbonate of soda for cooking purposes]; Barley (Crushed -); Barley meal; Bean meal; Bee glue; Beer vinegar; Biscuits; Bread; Bread rolls; Breadcrumbs; Buns; Cake powder; Cakes; Candy; Capers; Caramels [candy]; Celery salt; Cereal-based snack food; Cereal preparations; Cheeseburgers [sandwiches]; Chewing gum; Chicory [coffee substitute]; Chips [cereal products]; Chocolate; Chocolate-based beverages; Chocolate beverages with milk; Chow-chow [condiment]; Chutneys [condiments]; Cinnamon [spice]; Cloves [spice]; Cocoa; Cocoa-based beverages; Cocoa beverages with milk; Cocoa products; Coffee; Coffee-based beverages; Coffee beverages with milk; Coffee flavorings [flavourings]; Coffee (Unroasted -); Condiments; Confectionery; Confectionery for decorating Christmas trees; Cookies; Cooking salt; Corn flakes; Corn meal; Corn, milled; Corn, roasted; Coulis (Fruit -) [sauces]; Couscous [semolina]; Crackers; Cream of tartar for cooking purposes; Cream of tartar for culinary purposes; Curry [spice]; Custard; Dressings for salad; Edible ices; Essences for foodstuffs, except etheric essences and essential oils; Farinaceous foods; Ferments for pastes; Flavorings, other than essential oils; Flavorings, other than essential oils, for cakes; Flavorings, other than essential oils, for beverages; Flour-milling products; Fondants [confectionery]; Frosting [icing] (Cake -); Frozen yogurt [confectionery ices]; Fruit jellies [confectionery]; Garden herbs, preserved [seasonings]; Ginger [spice]; Gingerbread; Glucose for culinary purposes; Gluten additives for culinary purposes; Gluten prepared as foodstuff; Golden syrup; Groats for human food; Gruel, with a milk base, for food; Halvah; Ham glaze; High-protein cereal bars; Hominy; Hominy grits; Honey; Husked barley; Husked oats; Ice cream; Ice cream (Binding agents for -); Ice for refreshment; Ice, natural or artificial; Iced tea; Infusions, not medicinal; Ketchup [sauce]; Leaven; Linseed for human consumption; Liquorice [confectionery]; Lozenges [confectionery]; Macaroni; Macaroons [pastry]; Malt biscuits; Malt extract for food; Malt for human consumption; Maltose; Marinades; Marzipan; Mayonnaise; Meal; Meat gravies; Meat pies; Meat tenderizers, for household purposes; Mint for confectionery; Molasses for food; Mousses (Chocolate -); Mousses (Dessert -) [confectionery]; Muesli; Mustard; Mustard meal; Noodle-based prepared meals; Noodles; Nutmegs; Oat-based food; Oat flakes; Oatmeal; Oats (Crushed -); Pancakes; Pasta; Pasties; Pastries; Pastry; Peanut confectionery; Pepper; Peppermint sweets; Peppers [seasonings]; Pesto [sauce]; Petit-beurre biscuits; Petits fours [cakes]; Pies; Pizzas; Popcorn; Potato flour for food; Powders for ice cream; Pralines; Puddings; Quiches; Ravioli; Relish [condiment]; Rice; Rice-based snack food; Rice cakes; Royal jelly; Rusks; Saffron [seasoning]; Sago; Salt for preserving foodstuffs; Sandwiches; Sauces [condiments]; Sausage binding materials; Sea water for cooking; Seasonings; Semolina; Sorbets [ices]; Soya bean paste [condiment]; Soya flour; Soya sauce; Spaghetti; Spices; Spring rolls; Star aniseed; Starch for food; Stick liquorice [confectionery]; Stiffening whipped cream (Preparations for -); Sugar; Sushi; Sweeteners (Natural -); Sweetmeats [candy]; Tabbouleh; Tacos; Tapioca; Tapioca flour for food; Tarts; Tea; Tea-based beverages; Thickening agents for cooking foodstuffs; Tomato sauce; Tortillas; Turmeric for food; Unleavened bread; Vanilla [flavoring] flavouring; Vanillin [vanilla substitute]; Vegetal preparations for use as coffee substitutes; Vermicelli [noodles]; Vinegar; Waffles; Weeds [condiment]; Wheat flour; Wheat germ for human consumption; Yeast.

## Description

No data

## Owners

### The Hershey Company

ID	237873	Country	US - United States	Correspondence address	
Organisation	The Hershey Company	State/county	PA	The Hershey Company 100 Crystal A Drive Hershey, PA 17033 ESTADOS UNIDOS (DE AMERICA)	Can be accessed and changed by authorised user via the User Area
Legal status	Legal entity	Town	Hershey,		
State, district or t.	Delaware	Post code	17033		Can be accessed and changed by authorised user via the User Area
		Address	100 Crystal A Drive		Can be accessed and changed by authorised user via the User Area

## Representatives

### J A KEMP

ID	10662	Country	GB - United Kingdom	Correspondence address	
Organisation	n/a	State/county	n/a	J A KEMP 14 South Square Gray's Inn	00 44-2030778600
Legal status	Legal person	Town	London		00 44-2074301000

Type **Association** Post code **WC1R 5JJ** London WC1R 5JJ  
Address **14 South Square Gray's Inn** REINO UNIDO mail@jakemp.com

## Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	011174433	C.1.3. Owner - change of name & address - entry on the register M - automatic template	12/07/2016	
	Recordal	011174433	Application form and attachment	11/07/2016	
	Recordal	011174433	Letter to the EUIPO	11/07/2016	
	EUTM	011239332	Cover letter for registration certificate.	22/04/2013	
	EUTM	011239332	Certificate of Registration	19/04/2013	
	EUTM	011239332	Notification of acceptance for publication	08/01/2013	
	EUTM	011239332	Notification of acceptance for publication of an application for a European Union trade mark	20/12/2012	
	EUTM	011239332	Search report transmitted (Article 38(1) and (6))	06/11/2012	
	EUTM	011239332	Application form and attachment	04/10/2012	
	EUTM	011239332	Figurative	04/10/2012	

Showing 1 to 10 of 10 entries

## IR transformation

No data

## Seniority

No data

## Exhibition priority

No data

## Priority

No data

## Publications

Bulletin number	Date	Section	Description
2013/004	07/01/2013	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2013/073	18/04/2013	B.1	Registrations with no amendments since the application was published
2016/129	13/07/2016	C.1.3	Proprietor - Change of name and address

Showing 1 to 3 of 3 entries

## Cancellation

No data

## Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2016/129	13/07/2016	C.1.3	011174433	Proprietor	Change of name and address

Showing 1 to 1 of 1 entries

## Oppositions

No data

## Appeals

No data

## Decisions

No data

## Renewals

No data

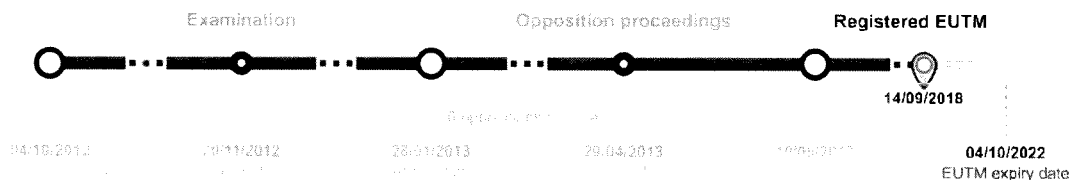
## Trade mark relations

No data

## EUTM file information

**HERSHEY'S KISSES**  
**011239506**

### Timeline



### Trade mark information

Name	HERSHEY'S KISSES	Filing date	04/10/2012
Filing number	011239506	Registration date	07/05/2013
Basis	EUTM	Expiry date	04/10/2022
Date of receipt	04/10/2012	Designation date	
Type	Figurative	Filing language	English
Nature	Individual	Second language	French
Nice classes	30 ( Nice Classification )	Application reference	TM27357/TPA
Vienna Classification	08.01.23 ( Vienna Classification )	Trade mark status	Registered
		Acquired distinctiveness	No

### Graphic representation



# HERSHEY'S KISSES

## Goods and services

English (en)

**30** Coffee, tea, cocoa and artificial coffee; Rice; Tapioca and sago; Flour and preparations made from cereals; Bread, pastry and confectionery; Ices; Sugar, honey, treacle; Yeast, baking-powder; Salt; Mustard; Vinegar, sauces (condiments); Spices; Ice; Allspice; Almond confectionery; Almond paste; Aniseed; Aromatic preparations for food; Artificial coffee; Baking powder; Baking soda [bicarbonate of soda for cooking purposes]; Barley (Crushed -); Barley meal; Bean meal; Bee glue; Beer vinegar; Biscuits; Bread; Bread rolls; Breadcrumbs; Buns; Cake powder; Cakes; Candy; Capers; Caramels [candy]; Celery salt; Cereal-based snack food; Cereal preparations; Cheeseburgers [sandwiches]; Chewing gum; Chicory [coffee substitute]; Chips [cereal products]; Chocolate; Chocolate-based beverages; Chocolate beverages with milk; Chow-chow [condiment]; Chutneys [condiments]; Cinnamon [spice]; Cloves [spice]; Cocoa; Cocoa-based beverages; Cocoa beverages with milk; Cocoa products; Coffee; Coffee-based beverages; Coffee beverages with milk; Coffee flavorings [flavourings]; Coffee (Unroasted -); Condiments; Confectionery; Confectionery for decorating Christmas trees; Cookies; Cooking salt; Corn flakes; Corn meal; Corn, milled; Corn, roasted; Coulis (Fruit -) [sauces]; Couscous [semolina]; Crackers; Cream of tartar for cooking purposes; Cream of tartar for culinary purposes; Curry [spice]; Custard; Dressings for salad; Edible ices; Essences for foodstuffs, except etheric essences and essential oils; Farinaceous foods; Ferments for pastes; Flavorings, other than essential oils; Flavorings, other than essential oils, for cakes; Flavorings, other than essential oils, for beverages; Flour-milling products; Fondants [confectionery]; Frosting [icing] (Cake -); Frozen yogurt [confectionery ices]; Fruit jellies [confectionery]; Garden herbs, preserved [seasonings]; Ginger [spice]; Gingerbread; Glucose for culinary purposes; Gluten additives for culinary purposes; Gluten prepared as foodstuff; Golden syrup; Groats for human food; Gruel, with a milk base, for food; Halvah; Ham glaze; High-protein cereal bars; Hominy; Hominy grits; Honey; Husked barley; Husked oats; Ice cream; Ice cream (Binding agents for -); Ice for refreshment; Ice, natural or artificial; Iced tea; Infusions, not medicinal; Ketchup [sauce]; Leaven; Linseed for human consumption; Liquorice [confectionery]; Lozenges [confectionery]; Macarons; Macaroons [pastry]; Malt biscuits; Malt extract for food; Malt for human consumption; Maltose; Marinades; Marzipan; Mayonnaise; Meal; Meat gravies; Meat pies; Meat tenderizers, for household purposes; Mint for confectionery; Molasses for food; Mousses (Chocolate -); Mousses (Dessert -) [confectionery]; Muesli; Mustard; Mustard meal; Noodle-based prepared meals; Noodles; Nutmegs; Oat-based food; Oat flakes; Oatmeal; Oats (Crushed -); Pancakes; Pasta; Pasties; Pastries; Pastry; Peanut confectionery; Pepper; Peppermint sweets; Peppers [seasonings]; Pesto [sauce]; Petit-beurre biscuits; Petits fours [cakes]; Pies; Pizzas; Popcorn; Potato flour for food; Powders for ice cream; Pralines; Puddings; Quiches; Ravioli; Relish [condiment]; Rice; Rice-based snack food; Rice cakes; Royal jelly; Rusks; Saffron [seasoning]; Sago; Salt for preserving foodstuffs; Sandwiches; Sauces [condiments]; Sausage binding materials; Sea water for cooking; Seasonings; Semolina; Sorbets [ices]; Soya bean paste [condiment]; Soya flour; Soya sauce; Spaghetti; Spices; Spring rolls; Star aniseed; Starch for food; Stick liquorice [confectionery]; Stiffening whipped cream (Preparations for -); Sugar; Sushi; Sweeteners (Natural -); Sweetmeats [candy]; Tabbouleh; Tacos; Tapioca; Tapioca flour for food; Tarts; Tea; Tea-based beverages; Thickening agents for cooking foodstuffs; Tomato sauce; Tortillas; Turmeric for food; Unleavened bread; Vanilla [flavoring] flavouring; Vanillin [vanilla substitute]; Vegetal preparations for use as coffee substitutes; Vermicelli [noodles]; Vinegar; Waffles; Weeds [condiment]; Wheat flour; Wheat germ for human consumption; Yeast.

## Description

No data



## Owners

### The Hershey Company

ID	<b>237873</b>	Country	<b>US - United States</b>	Correspondence address	
Organisation	<b>The Hershey Company</b>	State/county	<b>PA</b>	The Hershey Company 100 Crystal A Drive Hershey, PA 17033 ESTADOS UNIDOS (DE AMERICA)	Can be accessed and changed by authorised user via the User Area
Legal status	<b>Legal entity</b>	Town	<b>Hershey,</b>		
State, district or t..	<b>Delaware</b>	Post code	<b>17033</b>		Can be accessed and changed by authorised user via the User Area
		Address	<b>100 Crystal A Drive</b>		Can be accessed and changed by authorised user via the User Area

## Representatives

### J A KEMP

ID	<b>10662</b>	Country	<b>GB - United Kingdom</b>	Correspondence address	
Organisation	<b>n/a</b>	State/county	<b>n/a</b>	J A KEMP 14 South Square Gray's Inn London WC1R 5JJ REINO UNIDO	00 44-2030778600
Legal status	<b>Legal person</b>	Town	<b>London</b>		00 44-2074301000
Type	<b>Association</b>	Post code	<b>WC1R 5JJ</b>		mail@jakemp.com
		Address	<b>14 South Square Gray's Inn</b>		

## Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	011174433	C.1.3. Owner - change of name & address - entry on the register M - automatic template	12/07/2016	
	Recordal	011174433	Application form and attachment	11/07/2016	
	Recordal	011174433	Letter to the EUIPO	11/07/2016	
	EUTM	011239506	Cover letter for registration certificate.	14/05/2013	
	EUTM	011239506	Certificate of Registration	13/05/2013	
	EUTM	011239506	General correspondence	12/02/2013	
	EUTM	011239506	Notification of acceptance for publication	29/01/2013	
	EUTM	011239506	Notification of acceptance for publication of an application for a European Union trade mark	29/01/2013	
	EUTM	011239506	Search report transmitted (Article 38(1) and (6))	06/11/2012	
	EUTM	011239506	Application form and attachment	04/10/2012	

Showing 1 to 10 of 11 entries

## IR transformation

No data

## Seniority

No data

## Exhibition priority

No data

## Priority

No data

## Publications

Bulletin number	Date	Section	Description
2013/019	28/01/2013	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2013/087	10/05/2013	B.1	Registrations with no amendments since the application was published
2016/129	13/07/2016	C.1.3	Proprietor - Change of name and address

Showing 1 to 3 of 3 entries

## Cancellation

No data

## Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2016/129	13/07/2016	C.1.3	011174433	Proprietor	Change of name and address

Showing 1 to 1 of 1 entries

## Oppositions

No data

## Appeals

No data

## Decisions

No data

## Renewals

No data

## Trade mark relations

No data