

MADRID AGREEMENT AND PROTOCOL
PROVISIONAL REFUSAL OF PROTECTION

Rule 17(1)

I. Office making the notification: FEDERAL SERVICE FOR INTELLECTUAL PROPERTY (ROSPATENT) 30-1, Berezhevskaya nab., 125993, Moscow, G-59, GSP-3, Russian Federation Fax: +7 (495) 531-63-53 / phone: +7 (499) 240-60-15
II. Number of the international registration: 1387991
III. Name of the holder: GUANGZHOU DARING INTERNATIONAL FORWARDING CO., LTD.
IV. Reproduction of the mark: 
V. Provisional refusal based on an ex officio examination
VI. TOTAL provisional refusal concerning ALL the goods and/or services
VII. Grounds for refusal Absolute grounds: The designation “LUX” that is applied for trademark registration is devoid of any distinctive character because it has a laudatory nature and may serve, in trade, to designate the properties of the goods mentioned in the application. Relative grounds Earlier conflicting rights have been found, e.g. identical or confusingly similar mark and/or application and/or appellation of origin and/or industrial design: Information relating to an earlier international mark: International registration number (№) 906994; Date of registration the international registration 24.03.2006; Date relating to priority under the Paris Convention 27.09.2005; Basic application/basic registration 305 57 533.3/06, 02.02.2006; Name and address of the owner Emil Lux GmbH & Co. KG Emil-Lux-Straße 1 Wermelskirchen (Germany). Information relating to an earlier international mark: International registration number (№) 1183565; Date of registration the international registration 30.01.2013; Date relating to priority under the Paris Convention 29.08.2012; Basic application/basic registration 011147345, 29.08.2012; Name and address of the owner Emil Lux GmbH & Co. KG Emil-

Lux-Straße 1 Wermelskirchen (Germany).

VIII. Corresponding essential provisions of the applicable law [(see text under XII and Annex 1)]:

1483 (1); 1483 (1) (3); 1483 (6) (2)

IX. Information relating to subsequent procedure:

(i) TIME LIMIT for submitting your response and requesting review: **SIX (6) MONTHS** from the date of the notification of provisional refusal indicated under X. Please note that the extension of the time period established for response is NOT permitted.

(ii) Authority to which such request for review or appeal should be made: **Federal Service for Intellectual Property (ROSPATENT)**

(iii) Indications concerning the appointment of a representative:

Under Article 1247 of Part IV of the Civil Code of the Russian Federation “citizens permanently residing out of the territory of the Russian Federation and foreign legal entities shall exercise proceedings with the federal executive authority for the intellectual property through **patent attorneys**, registered by this federal authority, unless otherwise provided for by an international treaty of the Russian Federation”.

Information Search for Russian Patent Attorneys: http://www.fips.ru/sitedocs/patpov_en.htm

X. Date of the notification of provisional refusal: **21/09/2018**

XI. Signature of the Office making the notification:



Larisa Titova

XII. Corresponding essential provisions of the applicable law:

Civil Code of the Russian Federation (as amended up to Federal Law No. 35-FZ of March 12, 2014)

(for excerpts see Annex 1)

Annex 1

**Civil code of the Russian Federation
(excerpts)****Article 1477. The Trademark and the Service Mark**

1. An exclusive right certified by a trademark certificate (Article 1481) is recognized for the trademark, i.e. a designation serving for individualizing goods of legal entities or individual entrepreneurs.
2. The rules of the present Code concerning trademarks are applicable to service marks, i.e. to designations serving for individualizing the works or services performed/provided by legal entities or individual entrepreneurs respectively.

Article 1479. The Effect of Exclusive Right to a Trademark on the Territory of the Russian Federation

An exclusive right to a trademark registered by the federal executive governmental body charged with intellectual property matters is effective on the territory of the Russian Federation as well as in the other cases envisaged by an international treaty of the Russian Federation.

Article 1482. The Types of Trademarks

1. Word, image, 3-dimensional and other designations or combinations thereof may be registered as trademarks.
2. A trademark may be registered in any color or in any color-combination.

Article 1483. Grounds for Refusing State Registration to a Trademark

1. No trademark state registration shall be granted to designations not having a distinguishing capability or composed only of elements:

- 1) that have come into general usage as designations for goods of a certain kind;
- 2) being generally-accepted symbols and terms;
- 3) that characterizes goods, for instance indicating their kind, quality, quantity, properties, intended purpose, value, and the time, place and method of their manufacture or sale;
- 4) representing a form of goods that is defined exclusively or mainly by the properties or intended purpose of the goods.

The said elements may be included in a trademark as non-protected elements, unless they dominate therein.

- 1.1. The provisions of paragraph 1 of this article are not applicable to designations which:

- 1) have acquired a distinctive capability as the result of the use thereof;
- 2) consist only of the elements referred to in subparagraphs 1 - 4 of paragraph 1 of this article and forming a combination that has the distinctive capability.

2. No trademark state registration shall be granted to designations that are related to objects that are not subject of legal protection in accordance with Article 1231.1 of the present Code, or that are confusingly similar to them.

3. No trademark state registration shall be granted to designations which are or comprise elements:

- 1) which are false or capable of misleading the consumer concerning goods or the manufacturer of goods;
- 2) which conflict with the public interest and with humanity and moral principles.

4. No trademark state registration shall be granted to designations identical or similar to the extent of confusion with the official names and images of especially-precious objects of cultural heritage of the peoples of the Russian Federation or objects of world cultural or natural heritage, and also with images of cultural valuables preserved in collections, collected items and stocks if registration is sought in the names of persons not being owners without the consent of the owners or persons authorized by the owners for these designations to be registered as trademarks.

5. In accordance with an international treaty of the Russian Federation, no trademark state registration shall be granted to designations which are or which comprise elements protected in a member state of that international treaty as designations allowing identification of wines or alcoholic beverages as originating from its territory (produced within the borders of a geographical object of that state) and having a special quality, reputation or other characteristics predominantly defined by the origin thereof, if the trademark is intended for designating wines or alcoholic beverages not originating from the territory of the given geographical object.

6. No trademark registration shall be granted to designations identical or confusingly similar with:

1) other persons' trademarks, which were applied for registration (article 1492) with respect to similar goods and having an earlier priority, if the application for state registration of the said trademark has not been withdrawn, deemed withdrawn or no decision has been taken with respect to the refusal in its state registration;

2) other persons' trademarks protected in the Russian Federation, including under an international treaty of the Russian Federation for similar goods and having an earlier priority;

3) other persons' trademarks that have been recognized in the procedure established by the present Code as well-known trademarks in the Russian Federation, in respect of similar goods from earlier date than the priority of the claimed designation.

The registration of a designation as trademark for similar goods confusingly similar to any of the trademarks indicated in sub-points 1 and 2 of the present point is allowed with the consent of the right holder provided that such a registration shall not cause confusion to a consumer. The consent can not be withdrawn by the right holder.

The provisions provided by the fifth paragraph of this point shall not apply in respect of designations confusingly similar to collective marks.

7. No trademark registration shall be granted to designations identical or confusingly similar to an appellation of origin of goods, protected in accordance with the present Code, as well as to a designations, that were applied for registration as such until the priority date of the trademark, except for the case when such an appellation or a designation confusingly similar to it is included as a non-protected element into a trademark registered in the name of a person having the exclusive right for such an appellation, if the registration of the trademark is carried out with respect to the same goods for the individualization of which the appellation of origin is registered.

8. No trademark registration shall be granted for similar goods to designations identical or confusingly similar to a company name or a commercial name (specific elements of such names) protected in the Russian Federation or with the name of a selection invention registered in the State Register of Protected selection inventions to which rights has emerged owned by other persons in the Russian Federation prior to the priority date of the trademark being registered.

9. No trademark registration shall be granted to designations identical to:

1) the title/name of a scientific, literary or artistic work, a character or quotation from such work, known in the Russian Federation as of the date of filing of the trademark state registration application (Article 1492) or to an artistic work or a fragment thereof without the consent of the right holder, if rights to the relevant work emerged prior to the priority date of the trademark being registered;

2) the name (article 19), pseudonym (paragraph 1 of article 1265 and subparagraph 3 of paragraph 1 of article 1315) or designations that are derived from them, a portrait or a facsimile of a person known in the Russian Federation on the date of filing of the application, without the consent of that person or his successor;

3) an industrial design, mark of compliance, in respect of which rights has emerged prior to the priority date of the trademark being registered.

The provisions of this paragraph shall also apply in respect of designations confusingly similar to the objects indicated therein.

10. No trademark registration shall be granted in respect of similar goods to designations, elements of which are protected in accordance with present Code, means of individualization of other persons protected, confusingly similar to them, as well as objects referred to in paragraph 9 of this article. The state registration as trademarks of designations is allowed with the

appropriate consent under paragraph 6 and subparagraphs 1 and 2 of paragraph 9 of this article.

11. On the grounds provided by present article, no legal protection shall be granted to trademarks registered in accordance with the international treaties of the Russian Federation.

Article 1492 (3). The Trademark Application

3. The trademark application shall comprise the following:

- 1) an application for the state registration of a designation as a trademark with reference to the applicant, his/its place of residence/whereabouts;
- 2) the designation being declared;
- 3) a list of the goods for which the trademark state registration is sought and which are classified under the classes of the International Classification of Goods and Services for Marks Registration;
- 4) a description of the designation being declared.

Article 1496. The Consequences of Coincidence of the Priority Dates of Trademarks

1. If applications were filed by different applicants for identical trademarks in respect of fully coinciding or partially coinciding lists of goods, and these applications have one and the same priority date the trademark so declared for the goods of which lists coincide may be registered only in the name of one of the applicants to be chosen by agreement between them.

2. If applications for identical trademarks for fully or partially coinciding lists of goods have been filed by one and the same applicant, and these applications have one and the same priority date, the trademark for the goods for which the said lists are coincident may be registered only under one of the applications to be chosen by the applicant.

3. If applications for identical trademarks have been filed by different applicants (Item 1 of the present article), then within six months after the receipt of a relevant notice from the federal executive governmental body charged with intellectual property matters they shall notify that federal body of the agreement they have reached in choosing the specific application whereby the state registration will be sought for the trademark. During the same term the applicant that has filed applications for identical trademarks shall notify of his/its choice made (Item 2 of the present article).

Unless during the established term the federal executive governmental body charged with intellectual property matters receives the said notice or a petition for extension of the established term, the trademark applications shall be deemed withdrawn on the basis of a decision of that federal body.

Article 1497 (3). The Expert Examination of a Trademark Application and the Making of Amendments to Application Documents

3. A change in the details of the applicant is a trademark application, for instance in the event of assignment or transfer of the right of registering the trademark or due to a change in the name of the applicant, and also the correction of obvious and technical errors in application documents may be made until the state registration of the trademark (Article 1503).

Article 1511. The State Registration of a Collective Mark

1. The application for registration of a collective mark (collective mark application) filed with the federal executive governmental body charged with intellectual property matters shall be accompanied by a charter of the collective mark comprising the following:

- 1) the name of the association authorized to register the collective mark in its name (right holder);
- 2) a list of the persons entitled to use the collective mark;
- 3) the purpose of registration of the collective mark;
- 4) a list of the uniform characteristics of quality of, or other common characteristics of the goods which are going to be designated by the collective mark;
- 5) terms for using the collective mark;
- 6) provisions on the procedure for monitoring the use of the collective mark;
- 7) provisions on liability for a breach of the charter of the collective mark.

2. In addition to the details required by Articles 1503 and 1504 of the present Code the following shall be entered into the State Register of Trademarks and a certificate of a collective mark: information on the persons entitled to use the collective mark. This information and also an abstract from the charter of the collective mark on the uniform characteristics of the quality, and the common characteristics, of the goods for which this mark is registered shall be published by the federal executive governmental body charged with intellectual property matters in the gazette. The right holder shall notify the federal executive governmental body charged with intellectual property matters of the amendments made to the charter of a collective mark.
 3. If a collective mark is used on goods not having uniform quality characteristics or other common characteristics the legal protection of the collective mark may be terminated before due date in full or in part under a court decision adopted at the application of any person concerned.
 4. A collective mark and a collective mark application may be transformed into a trademark and a trademark application respectively and vice versa. The procedure for such transformation shall be established by the federal executive governmental body charged with normative legal regulation in the area of intellectual property.
- Corresponding essential provisions of the applicable law

906994

Date de l'enregistrement: **24.03.2006***Date prévue de l'expiration de l'enregistrement/du renouvellement:* **24.03.2026**

Emil Lux GmbH & Co. KG
Emil-Lux-Straße 1 Wermelskirchen (DE)

*Classification de Nice:*

Cl. 01: "Metal tempering and soldering preparations, adhesives for industrial use, cartridges for glue guns."

Cl. 03: "Scouring preparations, abrasive paper."

Cl. 04: "Industrial oils and greases."

Cl. 06: "Ironmongery, small items of metal hardware of common metals and their alloys, in particular nails, brads, screws, washers, nuts, rivets, staples, hooks, grommets, dowels; metal wire and cable (not for electric purposes); rope wires, metal chains and accessories therefore as far as included in this class; metal cable clips; padlocks; tool cabinets, magazines for small items, tote boxes, sorting boxes, tool holders, machine tables, tool stands, work benches (all the above goods made of metal and for use in/as equipment of workshops, not adapted to the apparatus to receive); tool boxes and chests (empty) of metal; shafts and handles of metal for tools and gardening devices; straps of metal; load and transport rollers, rollers and wheels, as far as included in this class; oil cans, funnels, special containers, as far as included in this class (all the above goods made of metal); posts (of metal); installation material (of metal); fastening material (of metal); darbies."

Cl. 07: "Machine tools and accessory parts and spare parts therefore, as far as included in this class; machines for tile laying, gas concrete and drywall construction, stone, screed and concrete work, electric and sanitary installation, brick laying, parquet, laminate and carpet laying, plaster work; electric tools for construction and do-it-yourself, including tool bits thereof; cordless screwdrivers, power saws, grinding machines, motor-driven polishing apparatus; hammer drills, power drills, electric planers, tile cutting machines, compressors, small electric tools, electric staplers, electric mills; mechanically operated gardening tools including lawn mowers and lawn trimmers; choppers, motor-driven hedge clippers and chain saws as well as accessories for mechanically operated gardening tools, namely collectors and covers for machines; spare parts for mechanically operated gardening tools, as far as included in this class; engines for tools; mobile generators; glue guns; soldering and welding apparatus (gas-operated), electric welding machines; pneumatic machines."

Cl. 08: "Hand tools for tile laying, gas concrete and drywall construction, stone, screed and concrete work, electric and sanitary installation, brick laying, parquet, laminate and carpet laying, plaster work; hand tools including cutting, separating, embossing and hammering tools, especially axes, hatchets, chisels, drills, files, rasps, tappers, hammers, planers, clips, trowels, spatulas, saws, wrenches, screwdrivers, socket wrenches and socket wrench bits, vices, pliers, tool holders, manually operated gripping and carrying devices, including stone carrying devices, sanding blocks, clamps, riveting tongs, eyelet-closing pliers, hand-held staplers and staples and nails therefore; manually operated tile cutting devices, knives, especially pocket knives, cutter lames, glass cutters, carpet cutters, blades; scissors, including household scissors, gardening scissors, pruning shears, lopping shears, hedge shears, manually operated gardening tools, including forks, hoes, spades, shovels, rakes, sickles, scythes, trimmers and manually operated lawn mowers; snow shovels; manually operated air assisted sprayers; manually operated pneumatic apparatus; tool boxes and tool holders (the above goods adapted to the tools to receive); hand-held air assisted sprayers for releasing liquids; scribing tools; spatulas and scrapers (hand tools)."

Cl. 09: "Measuring apparatus and tools; measuring tapes, yardsticks, rulers, plumbs, angles, goniometers, compasses, leveling rods, leveling rods with bubble level, water levels, also with laser technology, gauges, calipers; electric measuring instruments; thermometers; metal detectors; material for electric lines (cables, wires), electric installation material, as far as included in this class; soldering and welding apparatus (electric); industrial safety garment as far as included in this class, goggles, protective masks, dust masks, filters for protective masks, hearing protectors, as far as included in this class, working and protective gloves as far as included in this class, hard hats, kneepads, accessories for protection during welding, namely protective garment, gloves, aprons, sleeves, face protecting masks, face protecting shields, welding glasses; safety belts and fastening belts except for vehicle seats, as far as included in this class."

Cl. 11: "Parts of water conducting apparatus with a rain effect; garden sprinklers for plants and showers, garden showers."

Cl. 12: "Apparatus and parts of apparatus for land transport, namely load and transport rollers, rollers and wheels, as far as included in this class; hose trolleys."

Cl. 16: "Painters' materials; paint trays and paint stripping lattices; protective papers for protection against paint splashes and dirt; marking chalk, chalk holders, carpenter's pencils; rulers; adhesives and adhesive tapes for paper and stationery as well as for household purposes; artists' materials."

Cl. 17: "Plastic foils (except for packaging); adhesive tapes for industrial use, double-sided adhesive tape for laying carpets, adhesive tape as insulating material; rubber ropes; insulating gloves; seals; sealing, isolating and insulating material as far as included in this class; hoses, gardening hoses as well as couplings and connecting parts therefore, as far as included in this class."

Cl. 18: "Tool bags, tool aprons and cases (empty) of leather or imitations of leather."

Cl. 20: "Tool cabinets, magazine racks, tote boxes, sorting boxes, tool boxes of wood or plastic, machine tables, tool stands, work benches (all the above goods not made of metal and for use in/as equipment of workshops, not adapted to the items to receive); pasting tables, straightening tables; tool bags, boxes and cases (empty), not of metal, not of leather; shafts and handles for tools and gardening tools, not of metal; plastic chains, rope clamps, chain clamps, bolts, dowels, screws, nuts, washers, hooks, rivets (all the above goods not of metal); transport pallets; special containers not of masonry, not of metal, as far as included in this class; material (not of metal) for the installation of electric wires and pipes; fastening material (not of metal), namely, cable ties."

Cl. 21: "Gloves for household and cleaning purposes, gardening gloves; cleaning material; scrubs, wipers; sponges; brushes (except for paint brushes), brooms, swabs, sweeping sets; steel wool for cleaning purposes; funnels; buckets; extension and telescopic rods for handles; laundry lines; traps for insects, mice and rats; plant pots, plant and flower holders (as far as included in this class); towel and soap holders; sprinklers."

Cl. 22: "Ropes and accessories therefore, as far as included in this class, nets; threads,

cords; canvasses; carrying belts not of metal; strips (not of metal) for marking and warning."

Cl. 24: "Non-woven fabric."

Cl. 25: "Work and professional clothes, as far as included in this class, gloves and working gloves, as far as included in this class."

Cl. 26: "Velcro tapes."

Enregistrement de base: WO, 02.02.2006, 305 57 533.3/06

Données relatives à la priorité selon la Convention de Paris et autres données relatives à l'enregistrement de la marque dans le pays d'origine: 305 57 533.3/06, 27.09.2005, DE

1183565*Date de l'enregistrement:* **30.01.2013***Date prévue de l'expiration de l'enregistrement/du renouvellement:* **30.01.2023**

Emil Lux GmbH & Co. KG
Emil-Lux-Straße 1 Wermelskirchen (DE)

*Classification de Nice:*

Cl. 01: "Préparations pour la trempe et la soudure de métaux; adhésifs [matières collantes] à usage industriel."

Cl. 03: "Préparations de nettoyage, de polissage et abrasives; papiers abrasifs."

Cl. 04: "Huiles et graisses industrielles; lubrifiants; compositions destinées à absorber, humidifier et lier la poussière; combustibles (y compris essences pour moteurs) et matières éclairantes; bougies et mèches pour l'éclairage."

Cl. 06: "Métaux communs et leurs alliages; matériaux métalliques pour voies ferrées; minerais; matériaux de construction métalliques; constructions transportables métalliques; câbles et fils métalliques non électriques; articles de serrurerie, petits articles de quincaillerie métalliques; tuyaux et tubes métalliques; produits métalliques compris dans cette classe; portes de garages métalliques; coffres à outils en métal (vides); statues en métaux communs; coffres-forts; clôtures métalliques; maisons pour oiseaux en métal; serrures métalliques (autres qu'électriques); cadenas; chaînes métalliques; trémies (non mécaniques) métalliques; échelles métalliques, escabeaux métalliques; chevilles métalliques; tampons [chevilles] en métal; ferrures pour la construction; garnitures de fenêtres métalliques; garnitures de meubles métalliques; garnitures de portes métalliques; arrêts de portes métalliques; sangles de tension et d'arrimage métalliques; baguettes métalliques pour le brasage et le soudage; fils à souder en métal; poteaux métalliques; filins d'acier; équipements d'ateliers, compris dans cette classe, incluant des porte-outils (les produits précités étant métalliques); caisses à outils vendues vides en métal; poignées métalliques pour outils et instruments de jardin; sangles de transport métalliques; bidons métalliques, conteneurs à usage spécial, compris dans cette classe (les produits précités étant métalliques); poteaux métalliques pour accrocher des marquages, en particulier rubans de balisage et de signalisation; portails métalliques; treillis de fenêtre métalliques; blocs-serrures; treillis et espaliers métalliques; attaches métalliques; pinces et clous métalliques pour agrafeuses à main; pieds de meubles métalliques et en aluminium; roulettes métalliques pour portes de garage; roulettes métalliques pour portes coulissantes; roulettes métalliques pour meubles; viroles; roulettes métalliques pour lits."

Cl. 07: "Machines et machines-outils, accouplements de machines et composants de transmission (autres que pour véhicules terrestres); instruments agricoles autres que ceux actionnés manuellement; machines et machines-outils, notamment machines pour le mélange de couleurs, machines de construction, comprises dans cette classe; outils mécaniques pour la construction, l'horticulture et l'artisanat, équipements mécaniques pour l'horticulture et l'agriculture; compresseurs [machines]; pistolets pour la peinture, pistolets à air comprimé pour l'extrusion de mastics, pistolets à colle, électriques, agrafeuses électriques; pistolets et pompes pour l'application de peintures, mastiques et autres préparations visqueuses; fers à souder au gaz; porte-forets (parties de machines), foreuses, perceuses à main électriques, taraudeuses, supports pour forets pour perceuses à main électriques; machines à raboter; rectifieuses, disques abrasifs (partie de machine), disques coupants (parties de machines), meules (parties de machines); scies (machines), scies à chaîne; générateurs de courant; appareils de soudage à gaz; machines électriques de soudage; tondeuses à gazon (machines), scarificateurs (autres qu'actionnés manuellement); cultivateurs (autres qu'actionnés manuellement); aérateurs de sols (autres qu'actionnés manuellement); souffleuses à neige (autres qu'actionnées manuellement); pelles à neige (autres qu'actionnées manuellement); balayeuses à neige (autres qu'actionnées manuellement); pièces de moteurs et groupes moteurs, à savoir bougies d'allumage pour moteurs à combustion interne, silencieux d'échappement pour moteurs et groupes moteurs (pots d'échappement), filtres à essence et à huile, filtres pour le nettoyage de l'air de refroidissement pour moteurs et groupes moteurs, pistons pour moteurs et groupes moteurs, bagues de piston; entraînements électriques pour stores roulants, entraînements électriques pour portes de garage; ascenseurs, en particulier monte-charges; appareils de soudage électrique à l'arc; tours (machines-outils); tours électriques; machines électriques pour couper la paille, machines motorisées à couper la paille; meules à aiguiser (parties de machines); machines pour poser les carrelages, béton cellulaire et constructions à murs secs, ouvrages d'empierrement, pose de chape et ouvrages de béton, installations électriques et sanitaires, maçonnerie, pose de parquets, sols stratifiés et moquettes, travaux de plâtrerie, peinture, tapisserie et soudage; outils électriques pour la construction et le bricolage, y compris leurs embouts; tournevis, scies à chaîne, meuleuses, polissoirs sans fil; marteaux de forage, raboteuses électriques, machines à couper les carrelages, petits outils électriques, agrafeuses électriques, fraiseuses électriques; instruments de jardin mécaniques, y compris tondeuses à gazon et coupe-bordures; scies à chaîne et accessoires pour les équipements de jardin mécaniques, à savoir dispositifs collecteurs et couvercles d'appareils; pièces détachées pour outils de jardin mécaniques, comprises dans cette classe; machines d'entraînement pour outils; générateurs mobiles; machines à souder et à braser (au gaz); outils à air comprimé; tours (actionnés par machine); tours à bois (actionnés par machine); dispositifs de pulvérisation (actionnés par machine); accouplements autres que pour véhicules terrestres; inserts de meulage, meules et machines de remplacement; fers de brasage électriques; appareils de soudure, appareils de soudure électrique."

Cl. 08: "Outils à fonctionnement manuel; instruments à main pour l'agriculture, l'horticulture, la sylviculture et l'ingénierie structurelle; atomiseurs à main; pistolets actionnés manuellement pour l'application de peintures, mastiques et autres fluides épais, pistolets, actionnés manuellement, pour l'extrusion de mastics; spatules [outils à main]; coutellerie, coutellerie en matières plastiques ou en métal; argenterie (coutellerie); pelles à neige (outils à main); grattoirs à glace; pierres à aiguiser; agrafeuses (à main); outils à riveter actionnés manuellement; truelles; scies (outils à main); limes [outils à main]; serre-joints; pinces [outils à main]; tournevis; tourne-à-gauche (outils à main); marteaux (outils à main); haches; tondeuses à gazon (outils à main); cisailles de bordure; rabots; ciseaux pour la papeterie; pinces à riveter; racloirs (outils à main); outils à main pour poser les carrelages, béton cellulaire et constructions à sec, ouvrages d'empierrement, pose de chape et ouvrages de béton, installations électriques et sanitaires, maçonnerie, pose de parquets, sols stratifiés et moquettes, travaux de plâtrerie, peinture et soudure; outils à main, y compris outils pour la coupe, la séparation, le gaufrage et la frappe, en particulier ciseaux

japonais, perceurs, râpes, fraises de filetage, rabots, truelles, matoirs, tournevis, clés à douilles et jeux de clés à douilles, étaux, pinces, porte-outils, préhenseurs actionnés manuellement et équipements de transport, y compris équipements porte-pierres, blocs à poncer, rivetiers à main, pinces à oeillets; appareils pour couper les carrelages actionnés manuellement, couteaux, en particulier couteaux de poche, lames de coupe, diamants de vitrier, couteaux à tapis, lames, coupeurs; ciseaux, y compris ciseaux ménagers, sécateurs, coupe-branches, tailleuses d'arbres et taille-haies, instruments de jardin actionnés manuellement, y compris fourches, sarcloirs, bâches, pelles, râpeaux, faux, faucilles, taille-bordures et tondeuses à gazon manuelles; appareils pneumatiques à fonctionnement manuel; pièces détachées pour les produits précités; fers à repasser électriques; cisailles de bordure."

Cl. 09: "Appareils et instruments scientifiques, nautiques, géodésiques, photographiques, cinématographiques, optiques, de pesage, de mesurage, de signalisation, de vérification (supervision), de secours (sauvetage) et d'enseignement; appareils et instruments de conduction, distribution, transformation, accumulation, régulation ou commande d'électricité; appareils d'enregistrement, de transmission ou de reproduction de sons ou d'images; extincteurs d'incendie; matériel d'installations électriques (compris dans cette classe), à savoir câbles électriques et fils électriques; matériel pour conduits électriques (fils, câbles); dominos; fiches, prises de courant et autres contacts [connexions électriques]; caches pour prises de courant; conduits de câbles; voltmètres; électrodes de soudage; masques de soudeurs; systèmes électroniques de commande pour volets, minuteries, automatiques; appareils de surveillance et de mesure électroniques, systèmes de sécurité électroniques, à savoir détecteurs de mouvement, alarmes de détection de gaz, fumée et monoxyde de carbone, émetteurs et récepteurs radio pour la commande de la lumière, installations d'alarmes antivol électriques, sonneries (installations d'alarmes), interphones, appareils téléphoniques; téléphones portables; répondeurs téléphoniques; appareils de radio pour véhicules, lecteurs de disques compacts, antennes et accessoires d'antennes, compris dans cette classe; appareils et antennes de réception satellite, supports de données optiques, cassettes vidéo; ordinateurs pour bicyclettes; capteurs d'énergie solaire pour la production d'électricité; batteries électriques, équipements de charge de batterie; appareils de mesurage; outils de mesure; thermostats; thermomètres (autres qu'à usage médical); balances; enseignes lumineuses; vêtements de travail de protection (compris dans cette classe); casques de protection, casques de protection pour le sport, protections pour les bras, les genoux et les poignets (sécurité au travail); gants de protection contre les accidents; serrures électriques; gants de protection; lunettes et masques de protection; ceintures de sécurité et ceintures de fixation, autres que pour les sièges de véhicules, comprises dans cette classe; détecteurs de tension; systèmes d'intercommunication; marquages, en particulier rubans de balisage et de signalisation."

Cl. 10: "Protecteurs auditifs."

Cl. 11: "Appareils d'éclairage, de chauffage, de production de vapeur, de cuisson, de réfrigération, de séchage, de ventilation, de distribution d'eau et d'installations sanitaires; appareils sanitaires."

Cl. 12: "Véhicules; appareils de locomotion par terre, par air ou par eau; roulements de charge et rouleaux de transport; cylindres et roues pour véhicules; chariots dévidoirs pour tuyaux flexibles; cylindres et roues pour brouettes et diables."

Cl. 16: "Papier, carton et produits en ces matières (compris dans cette classe); produits d'imprimerie; articles pour reliures; photographies; articles de papeterie; adhésifs [matières collantes] pour la papeterie ou le ménage; matériel pour artistes; pinceaux; machines à écrire et fournitures de bureau (à l'exception de meubles); matériel d'instruction et d'enseignement (à l'exception d'appareils); matières plastiques pour l'emballage, comprises dans cette classe."

Cl. 17: "Caoutchouc, gutta-percha, gomme, mica et produits en ces matières non compris dans d'autres classes; matières à calfeutrer, à étouper et à isoler; tuyaux flexibles, non métalliques; gants isolants; rubans auto-adhésifs, autres que pour la médecine, la papeterie ou le ménage; pellicules en matières plastiques, à savoir revêtements de bassins

et membranes pour la construction."

Cl. 18: "Cuir et imitations de cuir, ainsi que produits en ces matières non compris dans d'autres classes; articles de sellerie; sacoches à outils (non garnies); coffres à outils en cuir (vides); sacoches à outils (vides), non métalliques, autres qu'en cuir."

Cl. 19: "Matériaux de construction (non métalliques); tuyaux rigides non métalliques pour la construction; asphalte, poix et bitume; constructions transportables non métalliques; monuments non métalliques."

Cl. 20: "Meubles, miroirs, cadres; produits (non compris dans d'autres classes) en bois, liège, roseau, jonc, osier, corne, os, ivoire, baleine, écaille, ambre, nacre, écume de mer et succédanés de toutes ces matières ou en matières plastiques; chevilles non métalliques; tampons [chevilles] non métalliques; garnitures non métalliques pour fenêtres; garnitures de meubles non métalliques; garnitures non métalliques pour portes; serrures non métalliques autres qu'électriques; tables d'encollage; rayonnages [meubles]; supports à outils non métalliques; arrêts de portes, non métalliques; équipements d'atelier, compris dans cette classe, incluant armoires à outils, boîtes de rangement pour petites pièces, bacs de rangement, bacs de tri, porte-outils, tables de machines, supports à outils, établis (les produits précités étant non métalliques); équipements d'atelier (meubles), incluant armoires à outils, boîtes de rangement pour petites pièces, bacs de rangement, bacs de tri, tables de machines, supports à outils, établis (les produits précités étant métalliques); tables à encoller, établis de serrage; boîtes et coffres à outils (vides), non métalliques, autres qu'en cuir; poignées pour outils et instruments de jardin, non métalliques; chaînes en plastique, serre-câbles et chaînes de fixation, boulons, bouchons, écrous, rondelles, crochets, rivets (les produits précités étant non métalliques); palettes de transport non métalliques; conteneurs à usage spécial, autres qu'en maçonnerie ou en métal, compris dans cette classe; échelles en bois ou en matières plastiques, escabeaux non métalliques; patins pour meubles en feutre et en matières plastiques; pieds de meubles en bois et en matières plastiques; cintres pour vêtements; roulettes non métalliques pour lits; roulettes non métalliques pour meubles."

Cl. 21: "Ustensiles et récipients pour le ménage ou la cuisine, ni en métaux précieux ni en plaqué; peignes et éponges; brosses (à l'exception de pinceaux); articles pour le domaine du nettoyage; paille de fer; balais; entonnoirs."

Cl. 22: "Cordes, ficelles, filets, tentes, auvents, bâches, voiles, sacs et sachets (compris dans cette classe); matières textiles fibreuses brutes; sangles de mise en tension et d'arrimage non métalliques."

Cl. 24: "Textiles et produits textiles non compris dans d'autres classes."

Cl. 25: "Vêtements, articles chaussants, articles de chapellerie."

Cl. 26: "Rubans et galons; boutons, crochets et oeillets, épingles et aiguilles; bandes d'agrafes."

Demande de base: **WO, 29.08.2012, 011147345**

Données relatives à la priorité selon la Convention de Paris et autres données relatives à l'enregistrement de la marque dans le pays d'origine: **011147345, 29.08.2012, EM**