



PROTOCOLE DE MADRID / МАДРИДСКИ ПРОТОКОЛ

Formulaire type n° 3A : Refus provisoire total de protection (règle 17.1) du règlement d'exécution commun) / Формулар бр. 3А: привремено одбијање заштите у целости (Правило 17.1) Правилника о спровођењу

I	Nom de l'Administration qui a prononcé le refus / Назив органа који је донео одбијање: REPUBLIQUE DE SERBIE / REPUBLIKA SRBIJA OFFICE DE LA PROPRIÉTÉ INTELLECTUELLE / ZAVOD ZA INTELEKTUALNU SVOJINU Kneginje Ljubice 5, 11000 Beograd
II	Numéro de l'enregistrement international / Број међународне регистрације : 1 387 991
III	Nom du titulaire / Име носиоца : GUANGZHOU DARING INTERNATIONAL FORWARDING CO., LTD.
IV	Informations concernant le type de refus provisoire / Информације у вези са врстом привременог одбијања : Refus provisoire total fondé sur un examen d'office. / Привремено одбијање у целости засновано на испитивању по службеној дужности.
V	Informations concernant la portée du refus provisoire / Информације у вези са обимом привременог одбијања: Le refus provisoire total concerne tous les produits demandés. / Привремено одбијање у целости се односи на сву тражену робу.
VI	Motifs de refus [(le cas échéant, voir la rubrique VII)] / Разлози за одбијање (када је применљиво, видети рубрику под VII): Collision avec les marques antérieures / Колизија са ранијим жиговима
VII	Informations relatives à une marque antérieure / Информације које се односе на ранији знак: Collision avec les marques internationales Nos: <u>906994 LUX, fig.</u> Emil Lux GmbH & Co. KG Emil-Lux-Straße 1, 42929 Wermelskirchen (DE) Date de l'enregistrement de base / Датум домаће регистрације : 02.02.2006 Date de l'enregistrement international / Датум међународне регистрације: 24.03.2006  Reproduction de la marque / Репродукција знака : <u>1183565 LUX TOOLS, fig.</u> Emil Lux GmbH & Co. KG Emil-Lux-Straße 1, 42929 Wermelskirchen (DE) Date de la demande de base / Датум домаће пријаве : 29.08.2012 Date de l'enregistrement international / Датум међународне регистрације: 30.01.2013  Reproduction de la marque / Репродукција знака :

VIII Dispositions essentielles correspondantes de la législation applicable / Одговарајуће одредбе закона који се примењује :

5, al. 1, No 10 de la Loi des marques / члан 5, став 1, тачка 10 Закона о жиговима

IX Informations concernant la possibilité de présenter un recours / Информације у вези са подношењем одговора :


i) **Délai pour présenter un recours / Рок за подношење одговора : 6 mois dès la prononciation du présent refus / 6 месеци од дана изрицања овог одбијања**

ii) **Autorité auprès de laquelle le recours doit être déposé / Орган коме се подноси одговор : cet Office / овај Завод**

iii) **Nécessité de déposer le recours dans une langue particulière et par l'intermédiaire d'un mandataire qui a son adresse sur le territoire de la partie contractante / Да ли се одговор подноси на посебном језику и посредством пуномоћника чија адреса је на територији земље уговорнице:**

Le recours doit être déposé dans la langue serbe, par l'intermédiaire d'un mandataire inscrit dans le Registre des mandataires de l'Office ou d'un avocat serbe. / Одговор се подноси на српском језику, преко пуномоћника који је уписан у Регистар заступника Завода или преко домаћег адвоката.

X Signature ou sceau officiel de l'Office qui fait la notification / Потпис или печат службеника Завода који издаје нотификацију:


Marija Božić, Section des signes distinctifs



XI Numéro et date à laquelle le refus a été prononcé / Број и датум изрицања овог одбијања:

6384 – le 2.11.2018

WIPO WORLD INTELLECTUAL PROPERTY ORGANIZATION	Madrid Monitor	International Trademark
906994- LUX		Printed: 2018-10-23 09:14

906994- LUX

Full details
Current Status
English

- 151 Date of the registration
24.03.2006
- 180 Expected expiration date of the registration/renewal
24.03.2026
- 270 Language of the application
English
- 732 Name and address of the holder of the registration
Emil Lux GmbH & Co. KG
Emil-Lux-Straße 1
42929 Wermelskirchen (DE)
- 812 Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment
DE
- 740 Name and address of the representative
dompatent von Kreisler Selting Werner - Partnerschaft von Patentanwälten und Rechtsanwälten mbB
Deichmannhaus am Dom,
Bahnhofsvorplatz 1
50667 Köln (DE)
- 540 Mark



- 531 International Classification of the Figurative Elements of Marks (Vienna Classification) - VCL(5)
24.13.05 ; 24.13.22 ; 27.05.01
- 511 International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(8)
- 01 Metal tempering and soldering preparations, adhesives for industrial use, cartridges for glue guns.
- 03 Scouring preparations, abrasive paper.
- 04 Industrial oils and greases.
- 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.
- 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


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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.

- 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).
- 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.
- 11 Parts of water conducting apparatus with a rain effect; garden sprinklers for plants and showers, garden showers.
- 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.
- 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.
- 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.
- 18 Tool bags, tool aprons and cases (empty) of leather or imitations of leather.
- 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.
- 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.
- 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.
- 24 Non-woven fabric.
- 25 Work and professional clothes, as far as included in this class, gloves and working gloves, as far as included in this class.
- 26 Velcro tapes.

822 Basic registration

DE, 02.02.2006, 305 57 533.3/06

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300 Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin

DE, 27.09.2005, 305 57 533.3/06

832 Designation(s) under the Madrid Protocol

GE - IS - NO - TM - TR - UZ

834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies

AL - AM - AZ - BA - BG - BY - CH - CN - EG - HR - KG - KZ - MD - ME - MK - RO - RS - RU - TJ - UA

Transaction History

EXPAND none

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1183565- LUX TOOLS

Full details

Current Status

English

- 151 Date of the registration
30.01.2013
- 180 Expected expiration date of the registration/renewal
30.01.2023
- 270 Language of the application
English
- 732 Name and address of the holder of the registration
Emil Lux GmbH & Co. KG
Emil-Lux-Straße 1
42929 Wermelskirchen (DE)
- 811 Contracting State of which the holder is a national
DE
- 740 Name and address of the representative
dompatent von Kreisler Selting Werner - Partnerschaft von Patentanwälten und Rechtsanwälten mbB
Deichmannhaus am Dom,
Bahnhofsvorplatz 1
50667 Köln (DE)
- 540 Mark



- 531 International Classification of the Figurative Elements of Marks (Vienna Classification) - VCL(7)
24.13.05 ; 26.01.03 ; 29.01.12
- 591 Information concerning colors claimed
Dark blue ("Pantone 288 C"), medium blue, white, light blue, grey and black.
- 511 International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(10-2013)
- 01 Tempering and soldering preparations; adhesives used in industry.
- 03 Cleaning, polishing and abrasive preparations; abrasive paper.
- 04 Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.
- 06 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 this class; 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 of metal; rods of metal for brazing and welding; soldering wire of metal; posts of metal; wire rope; workshop equipment, included in this class, 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 this class, (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 of metal; clips of metal; metal 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; ferrules of metal; casters of metal for beds.

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- 07 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, included in this class; 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 therefore; 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; chainsaws, and accessories for mechanical garden equipment, namely collecting devices and apparatus covers; spare parts for mechanical garden tools, included in this class; 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 machines; soldering irons, electric; welding apparatus, electric welding apparatus.
- 08 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, 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, 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; border shears.
- 09 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 this class), namely electric cables and electrical wires; material for electricity mains (wires, cables); lustre terminals; plugs, sockets and other contacts [electric connections]; covers for electric outlets; cable ducts; voltmeters; 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, aerials and aerial accessories, included in this class; 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 this class); protective helmets, protective sports helmets, arm, knee and wrist guards (work safety); gloves for protection against accidents; locks, electric; gloves for protection;

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protective goggles and masks; safety belts and fastening belts, except for vehicle seats, included in this class; 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 this class); 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 this 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.
- 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 this class, 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 not of metal; special purpose containers, not of masonry, not of metal, included in this class; ladders of wood or plastic, stepladders, not of metal; furniture glides of felt and plastic; furniture feet of wood and plastic; coat hangers; 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 (included in this class); 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; hook and eye fastening tape.

821 Basic application

EM, 29.08.2012, 011147345

300 Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin

EM, 29.08.2012, 011147345

832 Designation(s) under the Madrid Protocol

AL - BA - BY - CH - CN - HR - IS - KZ - LI - MD - ME - MK - NO - RS - RU - TR - UA

Transaction History

EXPAND none