

Government of India
TRADE MARKS REGISTRY
Boudhik Sampada Bhavan, S.M. Road, Antop Hill,
Mumbai-400 037, India.

NOTIFICATION OF PROVISIONAL REFUSAL OF PROTECTION OF AN INTERNATIONAL REGISTRATION DESIGNATING INDIA

Rule 17(1) of the Common Regulations

I.	Office making the notification:	TRADE MARKS REGISTRY, GOVERNMENT OF INDIA
II.	Number of the international registration: 1400991 (Reference IRDI No allotted to this international registration by the TMR India)... 3832140	
III.	Name of the holder (or other information enabling the identity of the international registration to be confirmed): OCTOVISIO GMBH	
IV.	Provisional refusal based on an opposition The following person(s) have filed opposition to protection of the trademark in India- 1. DECATHLON, 4 boulevard de Mons, F-59650 VILLENEUVE D' ASCQ, France	
V.	Provisional refusal for all the goods and/or services	
VI.	Grounds for refusal [(where applicable, see item VII)]: The Grounds are mentioned as per the Notice(es) of Opposition attached herewith	
VII.	Information relating to an earlier mark As mentioned in Notice(es) of Opposition attached herewith, if any.	
VIII.	Corresponding essential provisions of the applicable law [(see text under XII)]: Section 21 of Trade Marks Act 1999 and Rules 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56 Sections 9, 11, 12, 13, 14 of Trade Marks Act 1999 and Rules 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56	
IX.	Information relating to subsequent procedure:	
	(i)	If the holder of the International Registration wants to protect his trademark in India he/she, on receipt of the Provisional Refusal based on Opposition must submit a Counter Statement on form TM-6/TM-O through a registered trademark agent/advocate having address in India. The said Counter Statement must be submitted along with the scanned copy of the Statement of Case signed by the holder and the Power of Attorney in favor of the agent/attorney.
	(ii)	Time limit for response or for a request to file Counter Statement against the provisional refusal: <i>Two month</i> from the date of receipt of provisional refusal by the holder of international registration.
	(iii)	Authority to which such request for review or appeal should be made: The response to the provisional refusal in the form of the Counter Statement must be submitted before the Registrar of Trade Marks, International Registration Division, Trade Marks Registry, Mumbai. The Counter Statement including the scanned copy of the Statement of Case and the Power of Attorney must be submitted online through the gateway <i>comprehensive e-filing services for trademarks.</i>
	(iv)	Indications concerning the appointment of a representative: The response to the provisional refusal must be submitted through an Indian agent or a representative. The said agent may be a trademark agent registered with the Indian Trade Marks Registry office or an Advocate within the meaning of Indian Advocates Act, 1961. Such agent/attorney must be engaged by the holder through a Power of Attorney on form TM-48 executed in the favor of the said trademark agent/advocate.
X.	Date of the notification of provisional refusal: 08/02/2019	
XI.	Signature or official seal of the Office making the notification: FOR REGISTRAR OF TRADEMARK DIPMALA P MATHAPATI Designation: SENIOR EXAMINER Mumbai	

XII.	Corresponding essential provisions of the applicable law:
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*** end of the report ***

Receipt No.: 2030737
Date: 13/09/2018
Amount: Rs.13500/-
Ref No: A-3832140 Form
No: 951733

FORM TM-O
THE TRADE MARKS ACT, 1999

Notice of Opposition / Application for Rectification of the Register by cancelling or varying registration of a trade mark / Counter statement / Request to refuse or invalidate a trade mark under Section 25(a),(b) of Geographical Indication of Goods (Regulation and Protection) under the Trade Marks Act

REQUEST	NOTICE OF OPPOSITION
FEE	13500
APPLICANT OR REGISTERED PROPRIETOR/OPPONENT/THIRD PARTY MAKING THE APPLICATNION/REQUEST	
Opponent Name	DECATHLON
Treading As	
Address	4 boulevard de Mons, F-59650 VILLENEUVE D'ASCQ, France
Service Address	A - 18, CHITTARANJAN PARK, NEW DELHI - 110 019.
Mobile No	
Email address	DAHLIA@SEN-OBEROI.COM
AGENT OF THE APPLICANT OR REGISTERED PROPRIETOR/OPPONMENT/THIRD PARTY AS THE CASE MAY BE(if any)	
Agent Name	SEN - OBEROI
Address	A - 18, CHITTARANJAN PARK, NEW DELHI - 110 019.
Mobile No	
Nature of the Agent	Registered Trade Marks Agent
Registration No	D/605/1992
REQUEST OPPOSITION/APPLICATION IN THE MATTER OF	
DETAILS OF APPLICATION NUMBER	3832140
CLASS	25, 28, 35, 38, 41
REQUEST	NOTICE OF OPPOSITION
GROUND OF OPPOSITION	Grounds of opposition are attached separately
Date	13-09-2018 06:32 PM

Digitally Signed By

DAHLIA SEN OBEROI

for SEN - OBEROI.
[Agent]

FORM TM – O

THE TRADE MARKS ACT, 1999

Notice of Opposition to Application for registration
of a Trade Mark or a Collective mark or certification mark

[Section 21(1), 64, 66, 73, Rules 43]

Fee : Rs. 2700

Agent's Code No.: 2623

Opponent's Code No.:

IN THE MATTER OF IRDI No. 3832140 International no. 1400991 in Classes **25, 28, 35,**



38 and 41 for registration of the trade mark

in the name of Octovisio

GmbH of the address Kurfuerstendamm 224 10719, Berlin, Germany.

We, **Decathlon** a company incorporated under the laws of France, of the address 4, boulevard de Mons, 59650 Villeneuve d'Ascq, France, hereby give notice of our intention to oppose the registration of IRDI No. 3832140 International no. 1400991 in Classes **25, 28, 35, 38 and 41**



for registration of the trade mark

in the name of Octovisio GmbH of

the address Kurfuerstendamm 224 10719, Berlin, Germany; advertised in the Trade Marks Journal No. **1853** dated June 11, 2018 at page 4876.

The grounds of opposition are as follows:

1. The Opponent is a well-known and world-renowned manufacturer and retailer of Sports equipment and Sports-wear which was founded in the year 1976 in France. At present, the Opponent sell sports equipment and sports-wear products in

approximately 1388 stores in 42 countries around the world. They employ over 82,171 employees from 80 different nationalities.

2. The Opponent retail their products under the main brand **DECATHLON** which also is their tradename and under 20 different sub brands like DOMYOS, B'TWIN, KIPSTA, TRIBORD, NABAJI, QUECHUA, SIMOND, KALENJI, NEWFEEL, WED'ZE, ARTENGO, INESIS, CAPERLAN, SOLOGNAC, FOUGANZA, GEOLOGIC, OXELO, APTONIA, ORAO and GEONAUT all around the world. The trademark **DECATHLON** forms the main trademark out of the entire trademark portfolio of the Opponent as it not only forms its corporate name but in fact all its stores located in many countries are under the same trademark **DECATHLON**. All the goods manufactured, sold or retailed by Opponent use the mark **DECATHLON** in some way or the other. The mark **DECATHLON** is also used by the Opponent in all its promotional activities including advertisements, websites, print media, social networking websites, hoardings, billboards etc. The mark **DECATHLON** is associated solely with Opponent and the general public invariably associates the products under the mark **DECATHLON** with the Opponent and no one else. The Opponent is known for latest innovative designs and has extensive research and development facilities, on an average they register upto 40 patents per year.
3. The Opponent opened its first store in Lille, France in the year 1976 under the tradename **DECATHLON** and since then it has been using the mark extensively and continuously. At present, the Opponent is present in more than 26 countries of the world. After making its mark in France, the Opponent started to expand to other countries and opened its first store outside France in Germany in the year 1986. Subsequently, it expanded to other countries i.e. Spain in the year 1992, Italy in the year 1998, Portugal in the year 1998, United Kingdom in the year 1999, China in the year 2003, India in the year 2009, Southeast Asia in the year 2012, Malaysia in the year 2016 etc. to name a few. Presently, the Opponent has more than 1388 stores in 42 countries and employes more than 82,171 employees from 80 different nationalities. It is pertinent to note that all their stores are under the trademark/trtadename **DECATHLON**.

4. The Opponent has stores in various countries of the world under the trademark/tradename **DECATHLON**, the country wise break-up of the said stores are as follows:

- France – 303 stores
- Belgium – 26 stores
- Brazil - 21 stores
- Bulgaria – 4 stores
- Czech Republic – 11 stores
- China – 222 stores
- Croatia – 5 stores
- Germany – 33 stores
- Hungary – 18 stores
- **India – 62 stores**
- Italy – 108 stores
- Kuwait – 1 store
- Malaysia – 1 store
- Netherlands – 10 stores
- Philippines – 1 store
- Poland – 45 stores
- Portugal – 28 stores
- Romania – 17 stores
- Russia – 41 stores
- Slovenia – 2 stores
- South Africa – 1 store
- Slovakia – 4 stores
- Spain – 144 stores
- Singapore – 3 stores
- Sweden – 2 stores
- Turkey – 19 stores
- Taiwan – 9 stores
- United Kingdom – 25 stores

- Lebanon – 1 store
- UAE – 2 stores
- Morocco – 4 stores
- Thailand – 9 stores
- Mexico – 2 stores
- Colombia – 1 store
- Serbia – 1 store
- Tunisia – 1 store
- Australia – 3 stores
- Ghana – 2 stores
- Israel – 1 store

5. The Opponent has been present in India i.e. the sub-continent, producing and exporting the products, for more than 15 years. The Opponent is present in India **since 1998** as they started manufacturing and exporting the goods from here.
6. That there have been enormous sales of the Opponent's products under the trademark **DECATHLON** word over which have increased appreciably over the years. Worldwide turnover for the products under the trademark/tradename **DECATHLON** for the past years is as follows:

Year	Turnover
2009	5.4 Billion Euros
2010	6 Billion Euros
2011	6.5 Billion Euros
2012	7 Billion Euros
2013	7.4 Billion Euros
2014	8.2 Billion Euros
2015	9.1. Billion Euros
2016	10 Billion Euros

7. The trademark **DECATHLON** is an exclusively coined word crafted by Opponent's ingenuity to represent their goods and services. It is the main trademark as well as

tradename of the Opponent and since the adoption of this mark, has been used uninterruptedly and continuously by the Opponent and has become well known throughout the world. Considerable sales over the years, have established the mark **DECATHLON** as one of the largest sporting goods retailer/manufacturer in the world.

8. In order to maintain and heighten the popularity of the trademark **DECATHLON**, The Opponent has spent considerable resources on advertising and other promotional activities. Over the years, the trademark **DECATHLON** has been discussed in numerous trade journals and other trade literature. Keeping abreast with the technological advancement of media, the Opponent has taken steps to make information about itself readily available to all, and operates international web-sites at <https://www.decathlon.in/>, <https://www.decathlon.fr>, <https://www.decathlon.co.uk>, <https://www.decathlon.co.br>, <https://www.decathlon.com> etc. which have several sections targeting specific consumers divided on specific lines like geographical location, product lines, diverse range, etc. that are viewed throughout the world by potential/existing customers and public at large. Needless to say that this has added to promotion of the trademark that has translated into more popularity for the brand **DECATHLON**.

9. With specific reference to India, the Opponent has a wholly-owned subsidiary namely Decathlon Sports India Private Limited, which was incorporated on April 30, 2004. The Opponent presently have 62 stores in India under the trademark/tradename **DECATHLON** which are quite popular with the public. The city wise break-up of the said stores is as follows:

- Karnataka – 12 stores
- Odisha – 1 store
- Telangana – 5 stores
- Haryana – 4 stores
- Assam – 1 store
- A.P. – 1 store

- Kerala – 5 stores
- M.P. – 1 store
- Tamil Nadu – 6 stores
- New Delhi – 4 stores
- U.P. – 4 stores
- Rajasthan – 1 store
- Chhattisgarh – 1 store
- Maharashtra – 8 stores
- Punjab – 3 stores
- Gujarat – 4 stores
- West Bengal – 1 store

10. The Opponent also has an India specific website i.e. <https://www.decathlon.in/> wherein all its products under the trademark/ tradename **DECATHLON** are available and potential customers can make direct purchases from the said website. Apart from the said website, the products of the Opponent under the mark **DECATHLON** are also available in almost all the e-retail websites in India including Amazon India and Flipkart to name a few.

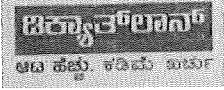
11. The trademark **DECATHLON** by virtue of long, extensive and continuous use enjoys enviable reputation and goodwill and has become a well-known trademark. The products under the mark **DECATHLON** are readily available throughout India and even before the official launch of the said products, the international fame and reputation of the Opponent's famous mark **DECATHLON** has spilled over into India through people traveling across the various nations, the Internet, advertisements and other publicity material appearing in international magazines. In fact the Opponent has been manufacturing its goods in India since the year 1998. Thus, the trademark **DECATHLON** had acquired trans-border reputation in India even before the official launch off their products under the mark **DECATHLON** in India.



12. The Opponent, by virtue of the facts stated above undoubtedly enjoys enviable reputation and goodwill in the **DECATHLON** trademarks which has been

painstakingly build over a period of many decades. It has been a conscious effort on the part of the Opponent to maintain the purity and distinctiveness of the trademark/tradename **DECATHLON** globally for its superior quality products.

13. The Opponent has applied for and obtained registration for its trademark **DECATHLON** in almost all the jurisdictions of the world including India. The Opponent has exclusive right in the term **DECATHLON** and thus is the exclusive owner of the same.

14. The Opponent is the proprietor of the following applications/registrations of **DECATHLON** trademarks in India:

S. No.	Trademark	Classes	Registration No.	Status
1.	DECATHLON	25	488522	Registered
2.	DECATHLON	18	504673	Registered
3.	DECATHLON	9	617468	Registered
4.	DECATHLON	13	617469	Registered
5.	DECATHLON	14	617470	Registered
6.	DECATHLON	16	617471	Registered
7.	DECATHLON	22	617473	Registered
8.	DECATHLON	26	617474	Registered
9.	DECATHLON	27	617475	Registered
10.	DECATHLON	28	617476	Registered
11.	DECATHLON	29	617477	Registered
12.	DECATHLON	30	617478	Registered
13.	DECATHLON	31	617479	Registered
14.	DECATHLON	32	617480	Registered
15.	DECATHLON	18, 25 & 28	1611709	Registered
16.	DECATHLON	35	1638250	Registered
17.		18, 25, 28 & 35	1791770	Registered

18.	DECATHLON PLAY MORE PAY LESS	18, 25, 28 & 35	1791771	Registered
19.	 DECATHLON PLAY MORE. PAY LESS	18, 25, 28 & 35	1791772	Registered
20.	 DECATHLON SPORT FOR ALL ALL FOR SPORT	35	2288077	Registered
21.	DECATHLON	20 & 24	2827433	Registered

All the registrations mentioned above are valid and subsisting in the records of the Trade Marks Registry.

15. The famous mark **DECATHLON** not only makes an immediate association with the products and services of the Opponent but also assures the consumer that each product bearing this mark is of the utmost quality and would guarantee complete consumer satisfaction.


16. The Opponent is extremely vigilant when it comes to protection of its trademarks in order to prevent them from getting diluted. It has taken due care in opposing every identical and/or deceptively similar mark for protecting the purity and originality of its own well-known and world-renowned trademark **DECATHLON**.

17. Due to the above-mentioned facts and circumstances, the Opponent was traumatized and concerned to learn about the Applicant's deceptively similar trademark




in classes 25, 28, 35, 38 and 41 from the advertisement of the mark in the Trade Marks Journal No. **1853** dated June 11, 2018 at page 4879.



18. The trademark  is structurally, visually, phonetically and conceptually similar to the Opponent's prior and famous trademark **DECATHLON**. It is submitted that the said device mark consists of the image of stars, image of a man, term 'EXATHLON' and the word 'BRASIL'. In this regard, it is brought to the kind attention of the learned Registrar that the image of the stars as well as of the man are generic whereas the term 'BRASIL' means the country 'BRAZIL' in Portuguese (the official language of Brazil)/Spanish. Therefore, the term 'EXATHLON' is the only part which is capable of registration out of the entire mark and the same is deceptively similar with the Opponents' prior famous and well known mark **DECATHLON**. Thus, it is clear that the real motive of the Applicant is to come as close as possible to the Opponent's prior trademark and to take undue and unjustified advantage of the Opponent's hard-earned reputation in the trademark. It is stated that the Applicant has with a *malafide* intention have filed for the registration of the term 'EXATHLON' in its impugned mark to deceive and mislead the public at large as well as the learned Registrar into believing that it adopted the same with an honest intention. The Applicant's trademark is undoubtedly deceptively similar to the Opponent famous trademark **DECATHLON** and hence is liable to be refused.
19. That the Applicant has filed their mark for identical set of goods in classes 25, 28 and 35 for which the Opponent has prior registrations in India whereas the specification in classes 38 and 41 are services that are also similar for which the Opponent use the trademark **DECATHLON**. In fact the said services in classes 38 and 41 are related to the goods in classes 25, 28 and 35 as they are interconnected to each other. Further, it is submitted that the mark **DECATHLON** is quite well known and famous and therefore is entitled to wider protection including the specification of services in classes 38 and 41. Therefore, the chances of confusion and deception, in the minds of consumers, is an absolute certainty. Moreover, the impugned mark being deceptively similar to the mark of the Opponent for identical set of goods/services, will also lead to dilution of the Opponent's famous and popular trademark **DECATHLON**.

20. Due to well known nature of the **DECATHLON** trademark and the identical set of goods and services under both the marks, there is a high possibility of an average man of ordinary intellect with an imperfect recollection in his mind of getting confused between the said trademarks. Both the marks will traverse through the same trade channel and target the same consumer base therefore, the chances of confusion by the said trademarks cannot be ruled out.



21. The adoption of the trademark  by the Applicant's is a negation of the principles of statutory trademark law as embodied in the Preamble of the Trade Marks Act, 1999 that reads as follows:

"An Act to amend and consolidate the law relating to trade marks, to provide for registration and better protection of trade marks for goods and services and for the prevention of the use of fraudulent marks."

22. The very act of adoption of impugned trademark by the Applicant is tainted with dishonest intention of coming as close as possible to the Opponent's mark **DECATHLON**. By doing so, the Applicant wants to ride over the goodwill and reputation enjoyed by the Opponent's trademark **DECATHLON**. The Applicant has bodily lifted the entire mark of the Opponents and merely removed the letter 'D' and changed the letter 'C' with 'X'. It is evident that Applicant intends to create and cause confusion in the minds of public at large and the members of the trade regarding origin of the impugned goods. The *malafide* of the Applicants is further corroborated by the fact that they have applied for a deceptively similar mark for identical set of goods/services.

23. The Applicant cannot have any justifiable explanation for adopting a mark that is deceptively similar to the Opponent's famous and registered mark



; they cannot claim to be unaware of the global as well as local presence and reputation of the Opponent. Thus, registration of the impugned application is liable to be rejected based solely on the ground that it is a clear violation of the very mandate provided in the Preamble to the Trade Marks Act.

24. The impugned mark is deceptively similar to the Opponent's prior and famous **DECATHLON** trademark. Thus, the impugned mark is neither inherently distinctive nor capable of distinguishing its goods and services from that of other manufacturers and registration of the impugned mark should be considered as a violation of provisions of Section 9 (1) (a) of the Act and hence should be barred from registration. Further, from the above-mentioned facts, it is evident that impugned mark is in all ways liable to cause confusion and deception in the minds of the consumers regarding origin of its goods. Thus, the impugned mark does not meet the requirements of Section 9 (2) (a) of the Act.

25. The impugned mark is visually, structurally as well as phonetically deceptively similar to the Opponent's prior and famous mark **DECATHLON**. Therefore, applying the test of imperfect recollection of a lay person, it is inevitable that the impugned mark would bear resemblance to the Opponent's prior and famous trademark and may cause an association with the Opponent. Further, since the trade channel through which the Opponent's and Applicant's goods/services will pass are identical, it is bound to cause confusion in the minds of the public and trade. The use of the impugned mark would result in passing-off of the Applicants' goods/services as those originating from the Opponent. Thus, it is inevitable that confusion and deception would be caused by use of the impugned mark. The Opponent is the proprietor of an earlier trademark as per the provisions of Section 11 of the Act. Therefore, registration of the impugned application would be in violation of the provisions of Sections 11 (1) (a); 11 (2) (a) and 11 (3) (a).

26. Owing to the long period of continuous and extensive use and worldwide recognition and reputation, Opponent's trademark **DECATHLON** has achieved and acquired status of a well-known mark. The Opponent's existing and potential customers are not only aware of Opponent's high end products and services but also essentially associate goods manufactured and sold and services provided by the Opponent with them only and no one else. Thus, Applicant's trademark should be barred from registration under the provisions of Section 11 (10) of the Trade Marks Act.

27. The Opponent submits that the impugned mark has been adopted with the sole intention to benefit from the goodwill and reputation enjoyed by the Opponent's famous mark **DECATHLON**. Tremendous loss of reputation would be caused by the use of the impugned mark, especially as the Opponent's mark is identified with superior quality products/services. Thus, to let an unscrupulous person adopt and use a deceptively similar mark would corrode the distinctiveness of Opponent's famous **DECATHLON** tradename. This illegal use, if not stopped, could have a cascading effect in the market and encourage other persons / traders to adopt identical or similar marks bearing resemblance to Opponent's famous **DECATHLON** mark which will definitely damage the brand value and distinctiveness enjoyed by the said mark. Thus, the magnitude of the damage that may be caused by the illegal use of the impugned mark is unfathomable to the Opponent and cannot be quantified in terms of money.

28. The Applicant's present trademark is based upon 'proposed use'. Therefore, no harm or inconvenience would be caused to the Applicant if its trademark application is refused. By contrast, serious injury would be caused to the Opponent if the impugned Application is allowed to proceed to registration. It is further submitted that the Applicant is not entitled to 'special circumstances' under the provisions of Section 12 of the Act, as well. The Opponent's trademark **DECATHLON** is exclusively identified with the Opponent and no other proprietor can adopt any identical or similar trademark. Therefore, the Applicant is not the proprietor of the subject mark within the scope of Section 18 (1).

29. In light of the above submissions, registration of impugned application would be in contravention to the provisions of Sections 9 (1) (a), 9 (2) (a), 11 (1) (a), 11 (2) (a),

11 (3) (a) and 18 (1) of the Act. Additionally, it is submitted that, the impugned application is not a fit case for the exercise of the learned Registrar's discretion.

30. The Opponent submits that the earlier mark **DECATHLON** is entitled to protection under the provisions of Section 11 (10) and Section 18 (4) of the Act.

31. In the circumstances, therefore, it is humbly prayed that

- (a) IRDI no. 3832140, International no. 1400991 for classes 25, 28, 35, 38 and 41 may be refused registration;
- (b) The instant opposition may be allowed;
- (c) Costs of these proceedings may be awarded to the Opponent; and,
- (d) Any further Order in favour of the Opponent and against the Applicant, as may be deemed fit in the facts and circumstances.

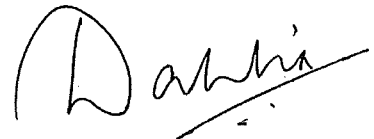
All communications in relation to these proceedings may be sent to the following address in India: -

Sen-Oberoi
A-18, Chittaranjan Park,
New Delhi-110019

Dated: 13th day of September, 2018

DECATHLON

By their Agents,

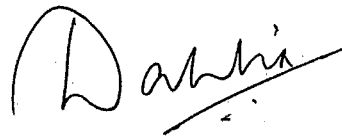


Of Sen-Oberoi

VERIFICATION

I, Dahlia Sen Oberoi, Advocate and Authorized Agent of the Opponents, verify that the averments made in paragraph 1 to 30 are believed to be true and are based on information received; paragraph 31 is a prayer on behalf of the Opponent; and, that no part of the above is false and that nothing material has been concealed there from.

Verified at New Delhi on this the 13th day of September, 2018



Name: Dahlia Sen Oberoi

Designation: Attorney for the Opponent

To,
The Registrar of Trade Marks
Office of the Trade marks Registry
At: Mumbai



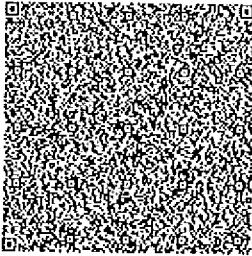
सत्यमेव जयते

INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

Certificate No. : IN-DL61468553501190Q
Certificate Issued Date : 06-Aug-2018 03:37 PM
Account Reference : IMPACC (IV)/ dl732103/ DELHI/ DL-DLH
Unique Doc. Reference : SUBIN-DL73210327135935660411Q
Purchased by : Sen Oberoi
Description of Document : Article 48(c) Power of attorney - GPA
Property Description : Not Applicable
Consideration Price (Rs.) : 0
(Zero)
First Party : Sen Oberoi
Second Party : Not Applicable
Stamp Duty Paid By : Sen Oberoi
Stamp Duty Amount(Rs.) : 100
(One Hundred only)



Please write or type below this line

FORM TM-M

THE TRADE MARKS ACT, 1999

Power of Attorney on behalf of DECATHLON

Statutory Alert:

1. The authenticity of this Stamp Certificate should be verified at "www.shclfestamp.com". Any discrepancy in the details on this Certificate and as available on the website renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.

FORM TM-M
THE TRADE MARKS ACT, 1999

**FORM OF AUTHORISATION OF AGENT IN A MATTER
OR PROCEEDINGS UNDER THE ACT, (Section 145 and Rule 19)**

We, **DECATHLON**, a company incorporated under the laws of France, whose address is 4 boulevard de Mons, F-59650 VILLENEUVE D'ASCQ, France, hereby authorise **Dahlia Sen Oberoi, Sameer Oberoi, Rohan Rohatgi, Archit Sharma, Manya Sharma, Nishtha Tandon and Ranjit Kumar**, Advocates of Sen-Oberoi, Attorneys-at-Law of the address A-18, Chittaranjan Park, New Delhi - 110 019, jointly and severally, to act as our Agents in relation



to the **Opposition** against the Trademark bearing application No. 3832140 in classes 25, 28, 35, 38 and 41 and any proceedings under the Trade Marks Act and Rules in connection therewith or incidental thereto and all such proceedings before the Registrar of Trade Marks or the Government of India and all acts, deeds and things (including the appointment of a substitute or substitutes) as the said Agent(s) may deem necessary or expedient in connection therewith or incidental thereto and request that all notices requisitions and communications relating thereto may be sent to such Agent(s) at **A-18, Chittaranjan Park, New Delhi - 110 019**.

Dated this 11 day of September 2018

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a horizontal line.

Name:

Designation:

To:

The Registrar of Trade Marks

Office of the Trade Marks Registry

At: New Delhi/ Mumbai/ Chennai/ Kolkata/ Ahmedabad