

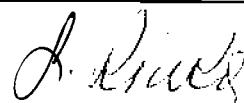
**MADRID AGREEMENT CONCERNING
THE INTERNATIONAL REGISTRATION OF MARKS
AND PROTOCOL RELATING TO THAT AGREEMENT**

PROVISIONAL REFUSAL OF PROTECTION

Notified to the World Intellectual Property Organisation (WIPO)
according to Article 5 of the Madrid Agreement and Madrid Protocol

I.	Office making the notification: PATENT OFFICE OF THE REPUBLIC OF LATVIA Citadeles iela 7/70 LV 1010, Riga LATVIA Phone: +371 67099604 Fax: +371 67099650 e-mail: liga.rinka@lrpv.gov.lv
II.	Number of the international registration: 1453355
III.	Name of the holder (or other indication enabling the identity of the international registration to be confirmed): Shantou Chenghai Longjun Toy Factory No. 4, East National Road, Zhulin Village, Lianshang Town, Chenghai District, Shantou City Guangdong CN
IV.	The grounds of refusal: Provisional refusal based on an opposition: Opposition submitted by LEGO Juris A/S, Koldingvej 2, 7190, Billund, DK - Denmark, holder of EUTM 002829463 /LEGO, Fig./ Information about earlier rights (if any) is enclosed.
V.	Reference to the corresponding essential provisions of the Law of the Republic of Latvia on Trademarks and Indications of Geographical Origin: Opposition according to Sections 18 and 39 has been based on: Section LPZ/99 7.(1)2; LPZ/99 8.(1); LPZ/99 8.(2); LPZ/99 6.(2); LPZ/99 39.3
VI.	Provisional refusal for all the goods and/or services
VII.	Possibilities to review or appeal The holder is entitled, within three months from the date on which the International Bureau has notified of the Provisional Refusal, to submit a substantiated appeal to the Patent Office through a professional local patent attorney (Law On Trade Marks and Indications of Geographical Origin, Section 17.1; Law on Industrial Property Institutions and Procedures, Section 58). After expiration of the said period the Board of Appeal shall take a decision to satisfy the opposition, fully or in part, or to dismiss it. The Case can be reviewed, within three months from the date of notification of the Board of Appeal's decision, by a civil action initiated before the Riga City Vidzeme Suburb Court.
VIII.	Date of the notification of provisional refusal: 18.04.2019

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

 **Līga Rinka**

X. Corresponding essential provisions of the applicable law:

Section 7. Earlier Trade Marks as Grounds for Invalidation of Trade Mark Registration

(1) A trade mark registration may be declared invalid in accordance with the provisions of this Law in the following cases:

1) it is identical to an earlier trade mark, and the goods or services in respect of which the trade mark was registered are identical to the goods or services in respect of which the earlier trade mark was registered;

2) in connection with its identity or similarity to, an earlier trade mark belonging to another person and the identity or similarity of the respective goods or services, there exists a likelihood of confusion of the trade marks or a likelihood of association between the trade marks on behalf of the relevant consumers.

(2) Earlier trade marks within the meaning of Paragraph one of this Section are:

1) trade marks valid in Latvia, which have been registered under national or international registration procedures, or as European Community trade marks (hereinafter Community trade mark) in accordance with Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (codified version) (Text with EEA relevance) (hereinafter Council Regulation No 207/2009) if the date of application for registration thereof is earlier than the date of application for registration of the contested trade mark, also taking into account the priority accorded to those trade marks;

2) applications for the registration of trade marks referred to in the previous Clause, provided that they are registered.

[21 October 2004; 14 October 2010]

Section 8. Well-known Trade Marks as Grounds for Refusal or Invalidation of Trade Mark Registration

(1) Notwithstanding the provisions of Section 7 of this Law, a trade mark registration may be refused or, if registered, the registration may be invalidated under the provisions of this Law, if the trade mark constitutes a reproduction, an imitation, a translation or a transliteration, liable to create confusion, of another trade mark, which, even though unregistered, was well-known in Latvia with respect to identical or similar goods or services, on the date of filing of application of the applied for (opposed) registration of trade mark (or the date of priority if priority has been granted).

(2) In addition to the provisions of Paragraph one of this Section, the registration of a trade mark may be refused or invalidated also if the goods or services regarding which trade mark registration has been applied for are not similar to the goods or services covered by a well-known trade mark in Latvia, provided that the use of the trade mark applied for (opposed) in relation to such goods or services may be perceived by consumers as an indication of a connection between such goods and services, and the owner of the well-known trade mark, and that such use may be detrimental to the interests of the owner of the well-known trade mark.

(3) In determining whether a trade mark is well-known, the knowledge of this trade mark in the relevant group of consumers, including such knowledge in Latvia that has been obtained as a result of the advertising of this mark or any other circumstances that have contributed to its fame shall be taken into account.

(4) In determining in which cases the provisions of Paragraphs one and two of this Section are to be applied to a sign regarding which registration has been applied for or to a registered trade mark, the provisions of Article 6-bis of the Paris Convention regarding a well-known trade mark shall be taken into account, including the provision which provides for the prohibition of the reproduction or the imitation of a well-known trade mark in an essential part of another trade mark; these provisions shall also apply, mutatis mutandis, to service marks.

(5) The provisions of Paragraphs one and two of this Section regarding refusal of registration during the expert-examination procedure shall not apply if the application for trade mark registration has been filed with the consent of the owner of the well-known trade mark.

Section 6. Absolute Grounds for Refusal and Invalidation of Trade Mark Registration

(1) The following signs may not be registered as trade marks (if they have been registered, such registration may be declared invalid in accordance with the provisions of this Law):

1) those which cannot constitute a trade mark, that is, signs which do not comply with the provisions of Section 3 of this Law;

2) those which lack any distinctive character with respect to the goods or services applied for;

3) those which consist solely of signs or indications which may serve, in trade, to designate the kind, quality, quantity, intended purpose (functional task), value, geographical origin, or the time of production of the goods or of providing the services, or other characteristics of the goods or services;

4) those which consist solely of signs or indications (general signs) which have become customary in the current language or in fair and established practices of the trade to designate the goods or services applied for;

5) those which consist solely of a shape which is directly determined by the kind of goods (the shape

results directly from the nature of the goods themselves), or which is necessary to obtain a particular technical result, or which gives substantial value to the goods;

6) those which are contrary to public order or to socially accepted principles of morality;

7) those which may deceive consumers regarding the nature, quality or geographical origin, or the like, of the goods or services;

8) those which contain signs, the registration of which, would be refused or invalidated in accordance with Article 6-ter of the Paris Convention, including coats of arms and flags of the member countries of the Paris Union, their official hallmarks (assay marks), control and warranty marks, as well as the emblems, flags, and names of international organisations and the abbreviations thereof, without authorisation by the competent authorities;

9) those which, without authorisation by the competent authorities given in accordance with the procedures laid down in the laws and regulations of the Republic of Latvia, contain the official heraldry approved at the State level, national decorations, Official Service insignia, as well as signs for official hallmarks (assay marks), control, quality, warranty, and safety of using goods which are used with respect to identical or similar goods or services in Latvia;

9) those which contain other signs of high symbolic value, as well as religious symbols;

10) with respect to wines - those which contain or consist of an indication of geographical origin identifying wines of particular origin, or with respect to spirits those which contain or consist of an indication of geographical origin identifying spirits of particular origin, if such is not the genuine place of origin of the wines or spirits for which the trade mark registration has been applied;

11) those which are intended for the marking of agricultural and food products and contain an indication of geographical origin protected in regard to the same agricultural or food products or consist of such protected indication of geographical origin, if the products for which trade mark registration has been applied, do not have the respective origin or if the use of the sign applied for in connection with these products is contradictory to the laws and regulations governing the protection of geographical indications and designations of origin.

(2) A trade mark also shall not be registered or, if registered, may be liable to be declared invalid in accordance with the provisions of this Law if the application for registration of the trade mark was clearly made in bad faith by the applicant.

(3) A trade mark registration may not be refused on the basis of the provisions of Paragraph one, Clauses 2, 3 or 4 of this Section, and shall not be declared invalid on the basis of the same provisions if, as a result of the use of the mark, it has acquired a distinctive character in the perception of the relevant consumers in Latvia with respect to the goods and services for which registration has been applied.

[21 October 2004; 19 November 2015]

Section 39.³ Additional Provisions for the Protection of the Community Trade Mark

(1) An opposition to the registration of a trade mark (Section 18) and the claim for invalidation of the registration of a trade mark (Section 31) apart from the earlier rights provided for in Sections 7, 8 and 9 of this Law may also be justified with an earlier identical or similar Community trade mark, which has a good reputation in the European Community and which is registered for goods or services which are not similar to those goods and services, which have a trade mark registered later (contested), but on condition that the use of the later trade mark without due cause takes unfair advantage of, or is detrimental to the distinctive character or the reputation of the Community trade mark or that such use of the later trade mark may be seen by consumers as a sign of connection between these goods and services and the owner of the referred to Community trade mark and such use may be detrimental to the interests of the owner of the Community trade mark. Such opposition and such claim may be submitted by the owner of the Community trade mark (or his or her successor in title) or his or her representative.

(2) In case of the illegal use of the Community Trade mark, the provisions of Sections 27 and 28 of this Law, the Civil Procedure Law and the provisions of other laws and regulations shall be applicable, unless otherwise laid down in Council Regulation No 207/2009.

(3) If, based on the rights arising from the registration of the Community trade mark, the registration of a later trade mark is contested, which is performed observing the procedures for registering trade marks laid down in this Law, or in accordance with the rules on the international registration and is extended to Latvia, or if the use of such later trade mark is contested, the provisions of Section 29 of this Law regarding the restrictions of rights as a result of acquiescence shall be observed.

[14 October 2010]

EUTM file information

LEGO
002829463

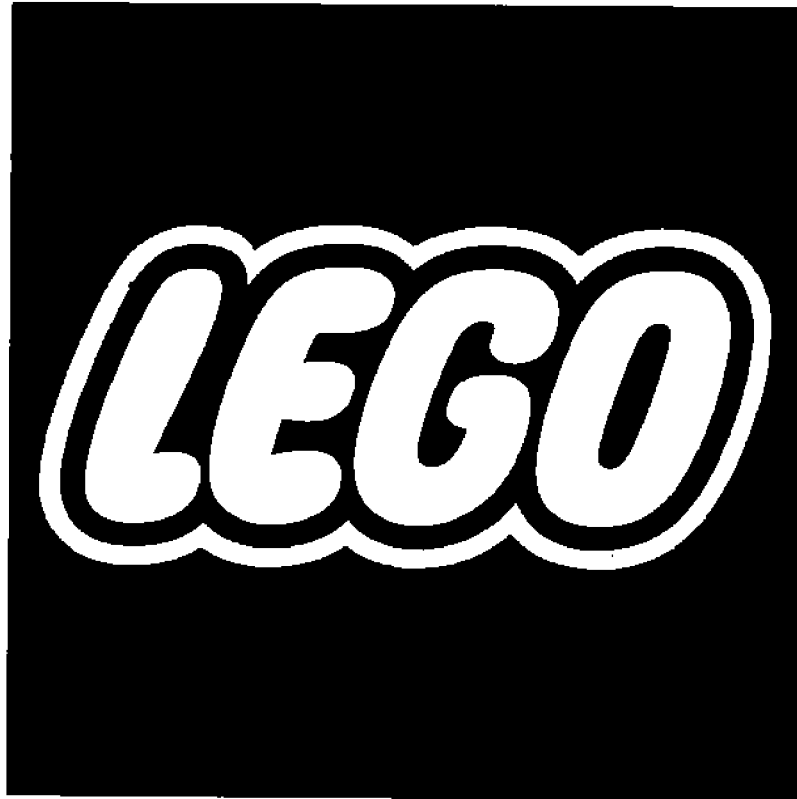
Timeline



Trade mark information

Name	LEGO	Filing date	28/08/2002
Filing number	002829463	Registration date	07/01/2004
Basis	EUTM on which IA is based	Expiry date	28/08/2022
Date of receipt	28/08/2002	Designation date	
Date of receipt of International Registration	11/11/2005	Filing language	English
IR number	0869258	Second language	German
Type	Figurative	Application reference	C14.63
Nature	Individual	Trade mark status	Registered
Nice classes	3, 9, 14, 16, 18, 20, 21, 24, 25, 27, 28, 30, 38, 41, 43 (Nice Classification)	Acquired distinctiveness	No
Vienna Classification	26.04.01, 26.04.05, 26.04.22, 29.01.01 (Vienna Classification)		

Graphic representation



Goods and services

English (en)

3 Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

9 Scientific, nautical, surveying, electric and electronic, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments (included in class 9); apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; software; eyeglasses; eyeglass cases; magnets.

14 Precious metals and their alloys and goods in precious metals or coated therewith (included in class 14); jewellery; horological and chronometric instruments; watch bands; key rings (trinkets or fobs).

16 Paper, cardboard and goods made from these materials (included in class 16); printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (included in class 16); Bags (envelopes, pouches) of paper or plastic, for packaging; wrapping paper; money holders; bookends; boxes of cardboard or paper; boxes for pens; pen cases; binders (loose leaf); chromos; coasters of paper; erasing products; writing pads; note books; paperweights; pencil sharpeners; photograph stands; table clothes, linen, mats and napkins, all of paper.

18 Leather and imitations of leather, and goods made of these materials (included in class 18); trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery; backpacks, rucksacks, beach bags, game bags, briefcases, handbags, pocket wallets, purses, school satchels, school bags.

20 Furniture, mirrors, picture frames; goods (included in class 20) of wood, cork, reed, or of plastics; air mattresses; sleeping bags; bedding (except linen); cases of wood or plastic; coat hangers; drinking straws; figurines of plastic; playpens for babies; jewelry cases, not of precious metal; point of sale displays (furniture).

21 Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes; drinking vessels; ice cube moulds; cake moulds; candle sticks; salt shakers, not of precious metal; coasters; mugs; pots; tableware (other than knives, forks, and spoons),

We use cookies on our website to support technical features that enhance your user experience. We also use analytics.

[Click for more information](#)

X

- 27** Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).
- 28** Games and playthings; gymnastic and sporting articles (included in class 28); decorations for Christmas trees.
- 30** Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals; bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.
- 38** Telecommunications.
- 41** Education; providing of training; entertainment; sporting and cultural activities.
- 43** Services for providing food and drink; temporary accommodation.

Description

English (en)

Description

Colour Red, white, black and yellow.

Owners

LEGO Juris A/S

ID	206059	Country	DK - Denmark	Correspondence address	
Organisation	LEGO Juris A/S	State/county	n/a	LEGO Juris A/S Koldingvej 2 DK-7190 Billund DINAMARCA	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal entity	Town	Billund		
		Post code	7190		
		Address	Koldingvej 2		Hidden. You can set your contact details to be publicly available via the User Area.
					Hidden. You can set your contact details to be publicly available via the User Area.

Representatives

BOMHARD IP, S.L.

ID	72210	Country	ES - Spain	Correspondence address	
Organisation	n/a	State/county	n/a	Bomhard IP, S.L. C/Bilbao, 1, 5º E-03001 Alicante ESPAÑA	965129470
Legal status	Legal person	Town	Alicante		965129475
Type	Association	Post code	03001		
		Address	C/Bilbao, 1, 5º		mail@bomhardip.com

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	EUTM	002829463	Surveillance letter	27/02/2019	
	Inspection request	002589859	Issue copies/extracts+Notification Information (EUTM+RCD) outside EU	05/12/2018	
	Inspection request	002589859	D123-Legalizar documentos (NB: ES only)	05/12/2018	
	Inspection request	002589859	D113 : Certified copy of registration certificate	05/12/2018	

We use cookies on our website to support technical features that enhance your user experience. We also use analytics.

[Click for more information](#)

X

From	Procedure	Filing number	Subject	Date	Actions
	Inspection request	002589859	Application form and attachment	05/12/2018	
	EUTM	002829463	Surveillance letter	28/06/2018	
	Recordal	010776063	T65XA	19/06/2017	
	Recordal	010776063	Communication - waiting for translations.	02/06/2017	
	Recordal	010776063	Application form and attachment	06/04/2017	

Showing 1 to 10 of 89 entries

IR transformation

No data

Seniority

Filing number	Registration number	Country	Priority date	Filing date	Registration date	International code	Status
	M 44 076	Latvia		18/06/1998		EU	ACCEPTED
	156357	Hungary		23/06/1998		EU	ACCEPTED
	37911	Lithuania		26/06/1998		EU	ACCEPTED
	130470	Poland		16/07/1998		EU	ACCEPTED
	225353	Czech Republic		31/07/1998		EU	ACCEPTED
	00035281	Bulgaria		05/08/1998		EU	ACCEPTED
	037093	Romania		06/08/1998		EU	ACCEPTED
	30547	Estonia		14/07/1998		EU	ACCEPTED
	28761	Malta		03/07/1998		EU	ACCEPTED
	28762	Malta		03/07/1998		EU	ACCEPTED

Showing 1 to 10 of 16 entries

Exhibition priority

No data

Priority

No data

Publications

Bulletin number	Date	Section	Description
2003/050	16/06/2003	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2004/009	01/03/2004	B.1	Registrations with no amendments since the application was published
2005/052	26/12/2005	C.3.6	International trade marks
2007/025	18/06/2007	C.1.1	Proprietor - Total transfers
2007/061	05/11/2007	C.1.3	Proprietor - Change of name and address
2007/064	26/11/2007	C.2.1	Representative - Change of name and professional address
2008/017	28/04/2008	C.8.1	Claims of seniority

We use cookies on our website to support technical features that enhance your user experience. We also use analytics.

[Click for more information](#)

X

Bulletin number	Date	Section	Description
2010/084	10/05/2010	C.2.1	Representative - Change of name and professional address

Showing 1 to 10 of 17 entries

Cancellation

No data

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2005/052	26/12/2005	C.3.6	001729345	Trade mark	International trade mark
2007/025	18/06/2007	C.1.1	001162778	Proprietor	Total transfers
2007/061	05/11/2007	C.1.3	002827973	Proprietor	Change of name and address
2007/064	26/11/2007	C.2.1	002862814	Representative	Change of name and professional address
2008/017	28/04/2008	C.8.1	003045740	Seniority	Claims of seniority
2009/039	13/10/2009	C.3.6	004201300	Trade mark	International trade mark
2010/039	01/03/2010	C.8.1	004467307	Seniority	Claims of seniority
2010/084	10/05/2010	C.2.1	004747690	Representative	Change of name and professional address
2011/181	23/09/2011	C.8.1	005923555	Seniority	Claims of seniority
2011/201	24/10/2011	C.8.1	005924470	Seniority	Claims of seniority

Showing 1 to 10 of 15 entries

Oppositions

No data

Appeals

No data

Decisions

No data

Renewals

Title	Filing number	Status	Status date
Renewal	006243631	Trade mark renewed	18/04/2012

Showing 1 to 1 of 1 entries

Trade mark relations

No data

We use cookies on our website to support technical features that enhance your user experience. We also use analytics.

[Click for more information](#)

X