

PROTOCOLE DE MADRID

REFUS PROVISOIRE TOTAL DE PROTECTION

Règle 17.1)

I.	Office qui émet la notification: Office de la Propriété industrielle de la République slovaque Švermova 43 974 04 Banská Bystrica, Slovaquie tel.: +421 48 4300111 urad@indprop.gov.sk , www.upv.sk
II.	Numéro de l'enregistrement international: 1453355
III.	Nom du titulaire (ou autre indication permettant de confirmer l'identité de l'enregistrement international): Shantou Chenghai Longjun Toy Factory, Chine
IV.	☐ Refus provisoire fondé sur un examen d'office ☒ Refus provisoire fondé sur une opposition ☐ Refus provisoire fondé à la fois sur un examen d'office et sur une opposition
V.	☒ Refus provisoire pour tous les produits et/ou services ☐ Refus provisoire pour certains des produits et/ou services:

VI. Motifs de refus [(le cas échéant, voir la rubrique VII)]:

Un signe est refusé à l'enregistrement suite à une opposition à l'enregistrement d'une marque (ci-après dénommé «opposition») formée conformément à l'article 30 par le titulaire d'une marque antérieure lorsqu'en raison de l'identité ou de la similitude du signe avec la marque antérieure et en raison de l'identité ou de la similitude des produits ou des services que le signe et la marque antérieure désignent, il existe, dans l'esprit du public, un risque de confusion; ce risque de confusion comprend le risque d'association avec la marque antérieure (l'article 7, lettre a)

par le titulaire d'une marque antérieure, lorsque le signe est identique ou similaire à une marque antérieure jouissant d'une renommée sur le territoire de la République slovaque et dans le cas d'une marque de l'Union européenne sur le territoire de l'Union européenne et que l'usage de ce signe, sans juste motif, pour des produits ou des services qui sont identiques, similaires ou non similaires à ceux pour lesquels la marque antérieure est enregistrée tirerait indûment profit du caractère distinctif ou de la renommée de la marque antérieure ou porterait préjudice au caractère distinctif ou à la renommée de la marque antérieure (l'article 7, lettre b)

par l'utilisateur d'une marque notoirement connue lorsque, en raison de l'identité ou de la similitude du signe avec la marque devenue notoirement connue pour cet utilisateur, par son usage sur le territoire de la République slovaque ou par rapport au territoire de la République slovaque avant la date de dépôt de la demande, et en raison de l'identité ou de la similitude des produits et des services que le signe et la marque notoirement connue désignent, il existe un risque de confusion dans l'esprit du public; le risque de confusion comprend le risque d'association avec la marque notoirement connue (l'article 7, lettre d)

VII. Renseignements relatifs à une marque antérieure:

- i) Date et numéro de dépôt ou d'enregistrement et, le cas échéant, date de priorité:
28/08/2002 EUTM 002829463
01/04/1996 EUTM 000039800
- ii) Nom et adresse du titulaire:
- iii) Nom et adresse de l'opposant: **LEGO Juris A/S, Koldingvej 2, DK-7190 Billund, DK**
Nom et adresse du mandataire d'opposant: Majlingová & Partners, s.r.o, Budatínska 12,
851 06 Bratislava, Slovaquie
- i) Reproduction de la marque: **voir extrait du registre**

VIII. Articles de la loi nationale applicables en la matière (Loi sur les marques N° 506/2009 du Recueil des lois, telle que modifiée en dernier lieu) sont disponibles à l'adresse:

<https://www.indprop.gov.sk>

IX. Informations relatives à la suite de la procédure:

- i) Le délai pour présenter les objections contre le refus provisoire à l'Office de la Propriété industrielle de la République slovaque expire le **20. 09. 2019**.
- ii) Autorité auprès de laquelle la requête en réexamen ou le recours doit être déposé:
Office indiqué dans la rubrique 1
- iii) Les personnes n'ayant pas leur domicile ou siège sur le territoire de la République slovaque doivent être représentées par un mandataire agréé lors de toute procédure auprès de l'Office (l'article 51, alinéa 2).

La liste des mandataires agréés peut être obtenue auprès de l'Office à l'adresse ci-dessus ou sur le site web www.patentattorneys.sk ou www.sak.sk.

Fautes des objections présentées par un mandataire agréé dans le délai imparti, une décision finale sera prononcée.

X. Date de la notification de refus provisoire: 18. 6. 2019

XI. Signature ou sceau officiel de l'Office qui émet la notification:



Zdena Hajnalová
Zdena Hajnalová

Directrice du Département des marques
et des dessins et modèles industriels

Evidenčné číslo úloženia: _____

Spôsob podania: ☐ ONLINE ☐ E-MAIL

Autorizácia: ☒ ÁNO ☐ NIE

Overenie podpisu: ☒ PLATNÝ ☐ NEPLATNÝ

Časová pečiatka: ☐ ÁNO ☒ NIE

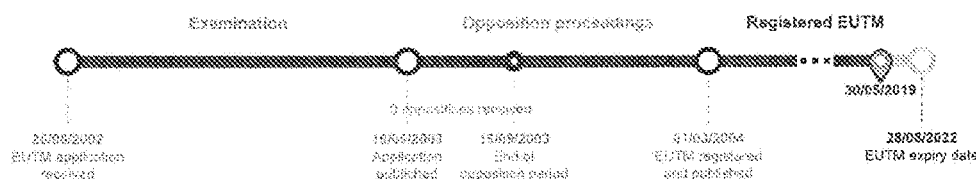
Autorizoval: *WJ* *1.1.19*

EUTM file information

LEGO
002829463

KÓPIA

Timeline



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), not of precious metal; toothbrushes; toilet utensils; money boxes, not of metal.

24 Textiles and textile goods, (included in class 24); bed and table covers.

25 Clothing, footwear, headgear.

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.

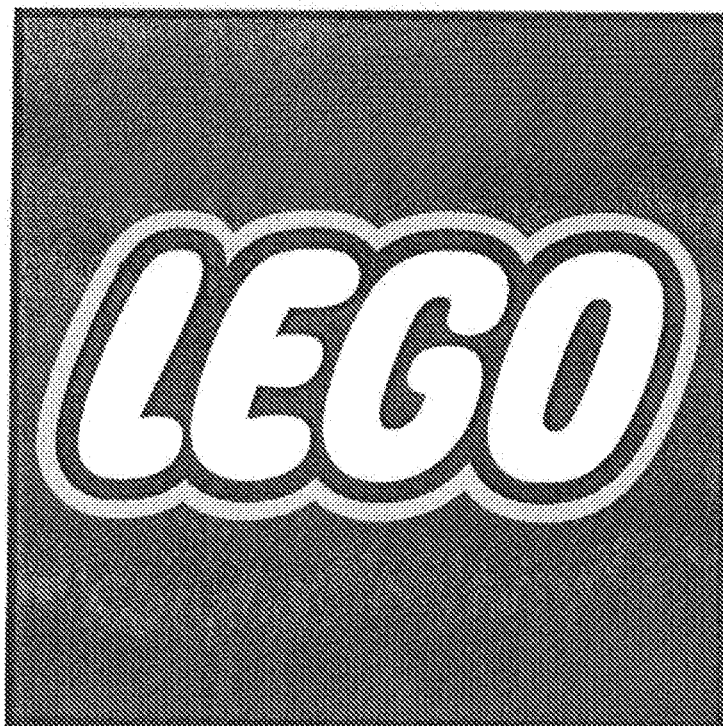
41 Education; providing of training; entertainment; sporting and cultural activities.

43 Services for providing food and drink; temporary accommodation.

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	26/08/2022
Date of receipt	28/08/2002	Designation date	
Date of receipt of International Registrat.	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



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/country	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/country	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	LSU01 - Information to proprietors of earlier trade mark registrations or applications	27/02/2019	
	Inspection request	002589859	D109m - Request for inspection - Issue of copies, extracts or communication of information	05/12/2018	
	Inspection request	002589859	D123-Legalizar documentos (NB: ES only)	05/12/2018	
	Inspection request	002589859	D113 - Certified copy	05/12/2018	
	Inspection request	002589859	D108m - Request for inspection - Issue of copies, extracts or communication of information	05/12/2018	
	Inspection request	002589859	Application form and attachment	05/12/2018	
	EUTM	002829463	LSU01 - Information to proprietors of earlier trade mark registrations or applications	28/06/2018	
	Recordal	010776063	T65XA	19/06/2017	
	Recordal	010776063	T5EMF - Communication on a recordal application of a registered European Union trade mark	02/06/2017	
	Recordal	010776063	Application form and attachment	05/04/2017	
Showing 1 to 10 of 89 entries					

IR transformation

No data

Seniority

Country	Filing number	Registration number	Priority date	Filing date	Registration date	International code	Status
Bulgaria		00035281		05/08/1998		EU	ACCEPTED
Croatia		0869258		11/11/2005		Madrid	ACCEPTED
Croatia		1005003		17/06/2009		Madrid	ACCEPTED
Czech Republic		225353		31/07/1998		EU	ACCEPTED
Estonia		30547		14/07/1998		EU	ACCEPTED
Finland		128254		07/10/1992		EU	ACCEPTED
Hungary		156357		23/06/1998		EU	ACCEPTED
Latvia		M 44 076		18/06/1998		EU	ACCEPTED
Latvia		M 52 658		27/01/2003		EU	ACCEPTED
Lithuania		37911		26/06/1998		EU	ACCEPTED
Showing 1 to 10 of 15 entries							

Exhibition priority

No data

Priority

No data

Publications

Publication 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
2009/039	13/10/2009	C.3.6	International trade marks
2010/039	01/03/2010	C.8.1	Claims of seniority
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

Publication 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

Subject number	Date	Section	Filing number	Title	Subtitle
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 18 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

Evidenčné číslo úloženia:

Spôsob podania: ☐ ONLINE ☐ E-MAIL

Autorizácia: ☒ ÁNO ☐ NIE

Overeenie podpisu: ☒ PLATNÝ ☐ NEPLATNÝ

Časová pečiatka: ☐ ÁNO ☒ NIE

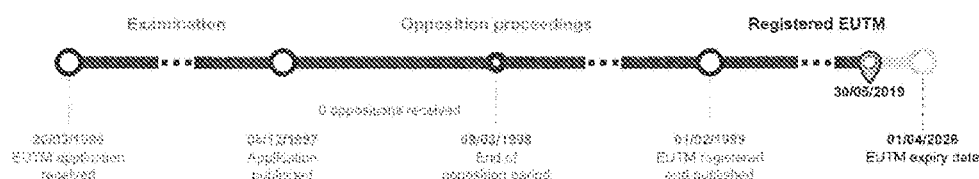
Autorizoval: **HAAS** **PLATNÝ**

EUTM file information

LEGO
000039800

KÓPIA

Timeline



Goods and services

English (en) ▼

- 3** Soaps; perfumery, essential oils, cosmetics, hair lotions; dentrifices.
- 9** Scientific, nautical, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, all included in class 9; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; recorded computer programs and software; automatic vending machines and mechanisms for coin operated apparatus; cash registers, calculating machines, data processing equipment and computers; eyeglasses, eyeglass cases, magnets.
- 14** Precious metals and their alloys and goods of 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; artist's materials; paint brushes; instructional and teaching material (except apparatus); plastic materials for packaging (included in class 16); playing cards; 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); chromes; coasters of paper; erasing products; writing pads; note books; paperweights; pencil sharpeners; photograph stands; table clothes, linen, mats and napkins, all of paper.
- 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].
- 24** Textile and textile goods (included in class 24); bed and table covers.
- 25** Clothing, footwear, headgear.
- 28** Games and playthings; gymnastic and sporting articles (included in class 28); decorations for Christmas trees.
- 38** Telecommunication; computer aided transmission of messages and images; e-mail.
- 41** Education; providing of training; entertainment; sporting and cultural activities; video tape and film production; amusement parks; publication of books and of texts (other than publicity texts).
- 42** Providing of food and drink; temporary accommodation; medical, hygienic and beauty care; veterinary and agricultural services; scientific and industrial research; computer programming; installation and operation of a data base.

Trade mark information

Name	LEGO	Filing date	01/04/1996
Filing number	000039800	Registration date	05/10/1998
Basis	EUTM	Expiry date	01/04/2026
Date of receipt	20/03/1996	Designation date	
Type	Word	Filing language	English
Nature	Individual	Second language	German

Nice classes	3, 9, 14, 16, 20, 24, 25, 28, 38, 41, 42 (Nice Classification)	Application reference	V8/C14.1.1
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

Description

No data

Owners

LEGO Juris A/S

ID	206059	Country	DK - Denmark	Correspondence address	
Organisation	LEGO Juris A/S	State/country	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/country	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	Action
	EUTM	000039800	LSU01 - Information to proprietors of earlier trade mark registrations or applications	27/02/2019	
	Inspection request	002589840	D109m - Request for inspection - issue of copies, extracts or communication of information	05/12/2018	
	Inspection request	002589840	D123-Legalizar documentos (NB: ES only)	05/12/2018	
	Inspection request	002589840	D113 - Certified copy	05/12/2018	
	Inspection request	002589840	D108m - Request for inspection - issue of copies, extracts or communication of information	05/12/2018	
	Inspection request	002589840	Application form and attachment	05/12/2018	
	Recordal	010761040	T65XA	05/07/2017	
	Recordal	010761040	T5EMF - Communication on a recordal application of a registered European Union trade mark	02/06/2017	

	From	Procedure	Filing number	Subject	Date	Actions
		Recordal	010761040	Application form and attachment	06/04/2017	
		Recordal	010761040	Application form and attachment	06/04/2017	
Showing 1 to 10 of 142 entries						

IR transformation

No data

Seniority

Country	Filing number	Registration number	Priority date	Filing date	Registration date	International code	Status
Benelux		54491			01/01/1971	EU	ACCEPTED
Benelux		358048			14/02/1979	EU	ACCEPTED
Benelux		389524			31/03/1983	EU	ACCEPTED
Benelux		463978			01/03/1990	EU	ACCEPTED
Bulgaria		00011101		07/02/1977		EU	ACCEPTED
Croatia		Z920724		21/09/1992		EU	ACCEPTED
Croatia		Z920726		21/09/1992		EU	ACCEPTED
Cyprus		18947		28/06/1978		EU	ACCEPTED
Czech Republic		171362		15/03/1991		EU	ACCEPTED
Czech Republic		157549		12/06/1967		EU	ACCEPTED
Showing 1 to 10 of 62 entries							

Exhibition priority

No data

Priority

No data

Publications

Publication number	Date	Section	Description
1997/032	08/12/1997	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
1999/007	01/02/1999	B.2	Registrations with amendments since the application was published
2006/032	07/08/2006	D.1	Renewals
2007/015	16/04/2007	C.1.3	Proprietor - Change of name and address
2007/023	11/06/2007	C.1.3	Proprietor - Change of name and address
2007/025	18/06/2007	C.1.1	Proprietor - Total transfers
2007/032	09/07/2007	C.2.1	Representative - Change of name and professional address
2007/035	23/07/2007	B.4.2	Correction of errors - Relative errors
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
Showing 1 to 10 of 32 entries			

Cancellation

No data

Recordals

Publication number	Date	Section	Filing number	Title	Subsidiary
			000181019	Representative	Change of name and professional address
			000396716	Representative	Change of name and professional address
2006/032	07/08/2006	D.1	001419848	Renewal	Total Renewal
2007/015	16/04/2007	C.1.3	000543200	Proprietor	Change of name and address
2007/023	11/06/2007	C.1.3	000564347	Proprietor	Change of name and address
2007/025	18/06/2007	C.1.1	001162778	Proprietor	Total transfers
2007/032	09/07/2007	C.2.1	000643877	Representative	Change of name and professional address
2007/035	23/07/2007	B.4.2	000111099	Correction of errors	Relative errors
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
Showing 1 to 10 of 22 entries					

Oppositions

No data

Appeals

No data

Decisions

No data

Renewals

Title	Filing number	Status	Status date
Renewal	001419848	Trade mark renewed	07/08/2006
Renewal	009982672	Trade mark renewed	17/05/2016
Showing 1 to 2 of 2 entries			

Trade mark relations

No data