

**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: <b>PATENT OFFICE OF THE REPUBLIC OF LATVIA</b> <b>Citadeles iela 7/70</b> <b>LV 1010, Riga</b> <b>LATVIA</b>  Phone: +371 67099604 Fax: +371 67099650 e-mail: <a href="mailto:liga.rinka@lrpv.gov.lv">liga.rinka@lrpv.gov.lv</a>
II.	Number of the international registration: <b>1259963</b>
III.	Name of the holder (or other indication enabling the identity of the international registration to be confirmed): <b>MLADEGS PAK d.o.o.</b> <b>Vijaka bb 78430 Prnjavor</b> <b>BA</b>
IV.	The grounds of refusal:  Provisional refusal based on an opposition: Opposition submitted by FRUIT SHIPPERS LIMITED, Third Floor, Charlotte House, Charlotte Street, Nassau 10051, BAHAMAS, holder of EUTM 013175278 /BONITA/. 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
VI.	Provisional refusal for all the goods and/or services
VII.	Possibilities to review or appeal  <b>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.</b>
VIII.	Date of the notification of provisional refusal: <b>27.06.2019</b>

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]*

## EUTM file information

# BONITA

013175278

### Trade mark information

Name	<b>BONITA</b>	Filing date	<b>14/08/2014</b>
Filing number	<b>013175278</b>	Registration date	<b>25/03/2016</b>
Basis	<b>EUTM</b>	Expiry date	<b>14/08/2024</b>
Date of receipt	<b>14/08/2014</b>	Designation date	
Type	<b>Word</b>	Filing language	<b>English</b>
Nature	<b>Individual</b>	Second language	<b>Italian</b>
Nice classes	<b>29, 30, 31, 32 ( Nice Classification )</b>	Application reference	<b>306254-5279/JRO/FB</b>
Vienna Classification		Trade mark status	<b>Registered</b>
		Acquired distinctiveness	<b>No</b>

### Goods and services

 English (en) 

**29** Meat, fish, poultry and game except in frozen form; meat extracts except in frozen form; milk and milk products except in frozen form; eggs except in frozen form; preserved, dried, baked, cooked and preserved fruits and vegetables; jellies, jams, compotes; Fruit salads; Fruit-based snack food.

**30** Sugar except in frozen form; natural sweeteners except in frozen form; bakery products, bread, yeast except in frozen form; pasta, baking-powder, flour, spices, and flavourings except in frozen form; honey and honey substitutes except in frozen form; food products based on rice, flour or cereals, also in the form of cooked dishes except in frozen form; Coffee; coffee extracts and coffee-based preparations; coffee substitutes and extracts of coffee substitutes; coffee beans; unroasted coffee; ground coffee; decaffeinated coffee; instant coffee; coffee drinks; coffee beverages; coffee mixtures; flavoured coffee; roasted coffee beans; ground coffee beans; prepared coffee and coffee-based beverages; coffee based drinks; coffee in brewed; coffee in ground form; coffee beverages with milk; ice beverages with a coffee base; filters in the form of paper bags filled with coffee, tea, tea extracts and tea-based preparations; cocoa and preparations having a base of cocoa, chocolate, chocolate products; puddings; breakfast cereals, rice, pasta, also in the form of cooked dishes; fruit sauces; none of the afore-mentioned goods being confectionery, ice, ice cream, ice cream confections, chocolate spread, cakes, biscuits or mousses.

**31** Fresh fruits and vegetables live animals; seeds; foodstuffs for animals, malt; agricultural, horticultural and forestry products and grains not included in other classes and excluding natural plants and flowers.

**32** Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages; fruit extracts; fruit nectars, non-alcoholic; smoothies.

### Description

No data

### Owners

**FRUIT SHIPPERS LIMITED**

ID **50184** We use cookies on our website to support technical features that enhance your user experience. We also use analytics. **50184** **BSE Bakamas** **Chapman & Co**

Organisation **n/a** State/country **n/a** [Click for more information](#) **X**

Legal status	<b>FRUIT SHIPPERS LIMITED</b>	Town	<b>Nassau</b>	FRUIT SHIPPERS LIMITED Third Floor, Charlotte House, Charlotte Street Nassau 10051 BAHAMAS	Hidden. You can set your contact details to be publicly available via the User Area.
		Post code	<b>10051</b>		
	<b>Legal entity</b>	Address	<b>Third Floor, Charlotte House, Charlotte Street</b>		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

### PONS CONSULTORES DE PROPIEDAD INDUSTRIAL, S.A.

ID	<b>36405</b>	Country	<b>ES - Spain</b>	Correspondence address	
Organisation	<b>n/a</b>	State/country	<b>n/a</b>	PONS CONSULTORES DE PROPIEDAD INDUSTRIAL, S.A. Glorieta Rubén Darío, 4 E-28010 Madrid ESPAÑA	917007600
Legal status	<b>Legal person</b>	Town	<b>Madrid</b>		913086103
Type	<b>Association</b>	Post code	<b>28010</b>		
		Address	<b>Glorieta Rubén Darío, 4</b>		comunicacioneseuipo@pons.es

## Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	015331500	T65XA	26/02/2019	
	Recordal	015331500	Application form and attachment	22/02/2019	
	Recordal	015331500	Letter to the EUIPO	22/02/2019	
	Recordal	015331500	Total/Partial surrender - deficiency/rejection	07/02/2019	
	EUTM	013175278	LSU01 - Information to proprietors of earlier trade mark registrations or applications	01/02/2019	
	Recordal	015331500	Letter to the EUIPO	23/01/2019	
	Recordal	015331500	Total/Partial surrender - deficiency/rejection	22/01/2019	
	Recordal	015331500	Application form and attachment	02/01/2019	
	Recordal	015283735	H726A - Notification of entry of a change of representative in the Office - Register and database	21/12/2018	
	Recordal	015283735	H726A - Notification of entry of a change of representative in the Office - Register and database	21/12/2018	

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## IR transformation

No data

## Seniority

No data

## Exhibition priority

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No data

## Priority

No data

## Publications

Bulletin number	Date	Section	Description
2014/182	29/09/2014	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2015/009	15/01/2015	C.2.1	Representative - Change of name and professional address
2016/059	30/03/2016	B.2	Registrations with amendments since the application was published
2019/002	04/01/2019	C.2.2	Representative - Appointment / Replacement of representative
2019/041	28/02/2019	C.3.2	Partial surrender / Declaration under Art.33(8) EUTMR

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## Cancellation

No data

## Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2015/009	15/01/2015	C.2.1	009158026	Representative	Change of name and professional address
2019/002	04/01/2019	C.2.2	015283735	Representative	Appointment / Replacement of representative
2019/041	28/02/2019	C.3.2	015331500	Trade mark	Partial Surrender

Showing 1 to 3 of 3 entries

## Oppositions

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent
002454984	30/12/2014	Identity of marks and G&S Likelihood of confusion	ANDRES LOPEZ E HIJO, S.A.	DAMASO GESTIÓN ASOCIADOS	English	306254-5279/JRO/FB	Closed	Class fish, p and g meat prese dried, cooke prese and v jellies comp eggs, milk p Fruit : Fruit-l snack Class coffee and c basec prepa coffee subst extra coffee subst coffee unroa coffee decaf coffee


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Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent 
								drink; bever coffee mixtu flavou coffee coffee groun beans prepa and c basec bever coffee drink; brewi in gro coffee bever milk; bever a coff filters form bags; coffee extra tea-b prepa cocoa prepa havin of coc chocc chocc produ confe sweet natur sweet baker produ breac pastri biscui desse veget and o desse on ce (cerea predc pasta powd spice flavou puddl edible produ makir ices; honey subst break cerea pasta produ on ric cerea the fo cooke fruit s Class fruits veget anim foods anim agricu hortie and fi produ grain

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Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of o
								other cl and exc natural and flow Class 32 mineral aerated and oth alcoholi drinks; f drinks a juices; s and oth prepara for mak beverag extracts nectars, alcoholi smoothi
002453762	18/12/2014	Likelihood of confusion	Boquoi Handels oHG	ORTH KLUTH RECHTSANWÄLTE PARTNERSCHAFTSGESELLSCHAFT MBB	English	306254- 5279/JRO/FB	Withdrawn	Class 29 fish, poi and gan meat ex preservi dried, b. cooked preservi and veg Fruit-ba snack fo Class 30 yeast; p. baking-f flour, sp rice, pas product on rice, cereals, the form cooked fruit sau Class 31 fruits ar vegetab

Showing 1 to 2 of 2 entries



## Appeals

No data

## Decisions

	Case number	Type	Case	Legal status	Keywords	Status	Decision date
+	Opposition 002454984	Opposition		Article 8(1)(a) CTMR, Article 8(1)(b) CTMR		Reject opposition	15/06/2015

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## Renewals

No data

## Trade mark relations

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